

Fall 2011

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Historical Magazine



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Cover: Martha Ann "Patty" Atavis (c.1816–1874), c.1840–1850. Above: Patty Atavis with Alice Lee Whitridge. Tintype c.1856. (Maryland Historical Society.)

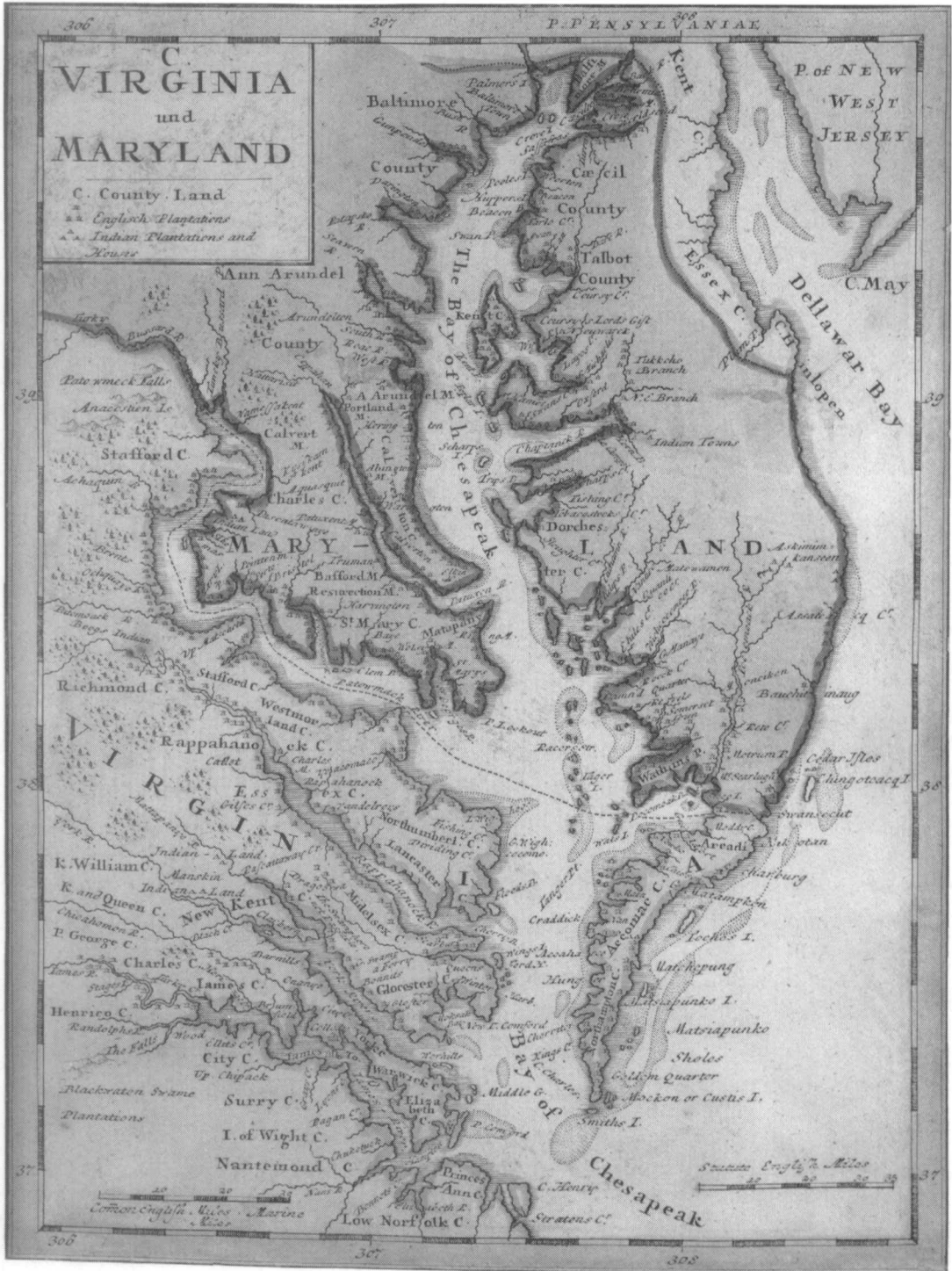
Editor's Notebook

Those who work in historical societies are surrounded by pieces of the past and walk daily through exhibitions and displays to meeting rooms and offices, often pre-occupied with administrative demands. We scribble mental reminders to learn more about the people whose legacies rest beneath our roofs but the escalating pace and distractions of twenty-first century life leave many questions unanswered. Yet every decade or so an extraordinarily rare and provocative fragment of Maryland history is entrusted to our care, prompting discussion, speculation, and immediate research. Such is the case with the haunting photographs of Martha Ann "Patty" Atavis.

Born a slave c. 1816, "Patty" belonged to William McCubbin at the time of his death in 1839. His widow Ruth then sold her for \$200 to John Whitridge, a successful Baltimore physician, with whom she may have lived and worked for the remainder of her life. The cover photograph is one of two images of this intriguing woman. The other, a tintype taken c. 1856, shows Patty with young Alice Lee Whitridge on her lap. Additional documents including her bill of sale and an 1851 draft of John Whitridge's will, plus her burial in the family lot at Greenmount Cemetery offer a starting point toward recovering details of her life.

This abundance of evidence, rare for an enslaved person, raises a multitude of questions. At what point and why did she take/receive a full name? Did she marry? Did she have her own family? Associate Editor Matt Hetrick noted the quality of her dresses, particularly the cuffs and collars and wonders if she may have been freed before Maryland abolished slavery in 1864—or, as educator and archivist Dustin Meeker added, "wealthy people often dressed their domestic slaves well, as a conspicuous display of their wealth." If she remained legally enslaved until 1864 she apparently moved about with few restrictions. Her name does not appear in John Whitridge's household at the collection of the 1850 or 1860 federal census. Did she spend time with other members of the Whitridge family? In 1858, Thomas Whitridge wrote to his brother's wife Catherine that "all [are] well . . . Anna and Patty have both gained flesh and are in good condition . . . no [need] to rush home. Stay until [your] health improves." Did she have a life outside and a place in the African American community? Why did she continue working for the Whitridges after emancipation? Work continues on this fascinating story.

P.D.A.



In 1668-1669, Henry Smith stood before the Accomack County, Virginia, court multiple times on allegations of increasingly violent domestic episodes. (Johann Baptist Homann, Virginia and Maryland, 1719.)

"The Reputation of Justice": Henry Smith and the Practice of Authority in the Early Colonial Chesapeake

ROBIN C. SAGER

Henry Smith arrived in Virginia in the early 1660s intent on creating an empire in Accomack County. An ambitious man, he had spent time in England and Barbados. Proving adept at acquiring manpower and land, he soon established himself as a significant landowner with two plantations. Indentured servants cared for the properties, Oak Hill and a thousand-acre estate on Smith Island. His marriage to a respected widow further secured his status. Although Smith's life in the colony paralleled those of other fortune seekers, a series of disturbing and horrific events began unfolding in the county court during the June 1668 session. Charged with fathering a murdered bastard child, he appeared before the court to defend his actions and his honor. Unfortunately for Smith, these initial allegations prompted others that included rape, infanticide, servant abuse, wife beating, adultery, and murder, all of which permanently tarnished his standing in society and marked him "the most wicked of men."¹

Aside from the extent of the crimes and the length of the court proceedings, this case is unique in that Smith continued railing against the legal system and insisting on his right to master his household in whatever ways he chose. He repeatedly challenged the authority of the court and, in the process, aroused the ire of one of its most prominent justices, Colonel Edmund Scarborough who, with other individuals, policed Smith's actions as the situation devolved into an extended court, and community, drama. This essay also reveals the contested nature of authority and the ways in which local factors shaped justice in the colonial Chesapeake.²

Henry Smith is familiar to scholars of early America, and historians have referred to his troubles in a multitude of works on topics from indentured servitude to court procedure. Part of the lure of this particular case is that individuals from all levels of society, black servants/slaves to white landowners appeared in court and gave vivid testimonies that provide rare glimpses of everyday life in the colonies. Yet despite wide interest among scholars, only one article to date places the case at the center of discussion. More than a decade ago, Irmina Wawrzyczek used the Smith proceedings as a window into understanding the experiences of colonial women

Robin C. Sager is a Ph.D. candidate in History and a Humanities Research Center Fellow at Rice University.

as the “empowered weak.” Although her work highlighted the words and actions of wives, mothers, and daughters, their male counterparts received little attention. This article builds upon Wawrzyczek’s foundation and emphasizes the social and political maneuvering of eastern shore men. As the charges against Smith unraveled, the court moved from a leniency befitting his station to a “stricter inquiry” as he repeatedly attacked the judicial process.³

The power of the county courts increased during the mid-seventeenth century, a period spurred by population growth and prompting expansion of the Virginia legislature and the jurisdiction of local courts. For example, in 1641 the legislature granted Accomack justices the right to rule in cases involving up to 20,000 pounds sterling. Officials hoped this measure would ease the strain on those peninsula residents who did not have easy access to the General Court at James City. One of the justices appointed to provide such relief, and the court official who appears most prominently in the Smith case record, was Colonel Edmund Scarburgh, Smith’s neighbor and the son of one of the area’s first settlers. Colonial governors typically appointed such men—wealthy, landed individuals who belonged to the region’s prominent families.⁴

Despite their elite status, Scarburgh and his fellow justices repeatedly found themselves embroiled in battles to preserve their authority. From the mid-1660s onward they staged numerous public displays of persons who chose to insult the court. In April 1665, Charles Scarborough questioned the court and consequently stood before the pillory with a sign stating, “A SCANDALOUS PERSON.” Another offender had a sign placed around his neck that read “FOR REBELLION AGAINST AUTHORITY.” These actions demonstrate that the men serving on the court were not novices in dealing with small-scale rebellion, but Smith’s openly critical words and actions forced them to issue extreme measures of containment and punishment.⁵

The Smith case unfolded in early summer 1668 when Anne (Jane) Powell appeared in court with a complaint against her master, Henry Smith. Her testimony highlighted various forms of mistreatment including excessive whippings and inadequate food rations. Unfortunately for Jane, the justices heard servant grievances on a regular basis, for harsh treatment of laborers was common throughout the Chesapeake. As Jane’s statement represented “the first complaint [against Smith] that appeared in court,” the justices “only admonished Mr Smith to better use his servants for the future.” The lenient order reflects the relatively common nature of Jane’s grievances and the decision of Smith’s peers to avoid castigating one of their own. At this time, since the ruling did not limit Smith’s control over his household dependents, he appeared to take heed of the court’s admonishment.⁶

Several months later Smith came to court on charges of fathering his servant Ann Cooper’s bastard child. When the trial was delayed, the accused faced additional charges from another of his servants—fornication relating to the conception of Elizabeth Carter’s then-deceased bastard child. Witnesses testified that Smith gave

Carter the "physick," an abortifacient that led to the infant's death, a much more serious charge. Once again the justices proceeded cautiously and moved forward only with the fornication prosecution. The court fined Smith a mere five hundred pounds of tobacco for having "very often carnally known" Elizabeth Carter, allowing him to escape a harsher penalty. Smith apparently thought the decision less than lenient and initiated a series of slanderous attacks on Accomack locals and the justice system. By early December the justices met again to consider multiple charges against Smith, including slander against the court and Scarborough, squandering an inheritance, and wife and servant abuse. The session opened with three of his neighbors, Ruth Bundick, Marrian Fruin, and Jean Hill, leveling damaging accusations against him.⁷

All three women commented on a neighborly meeting that had taken place at Bundick's house the previous month. They recalled how Smith used this social gathering as an attempt to demonstrate that, despite his indiscretions with Elizabeth Carter and the public shame of the court proceedings, he maintained control over his wife Joanna. His effort to affirm his role as a powerful head of household backfired horribly. At some point in the evening, evidently angered by the mere mention of the Carter scandal, he turned on Joanna in front of the entire party, calling her a "whore, Damnd whore and impudent whore bitch," and refused to stop. He then released his anger upon everyone else in attendance. As Joanna wept, Smith gestured to his neighbors, "holding up his fist and shaking it," proclaiming that he would "be revenged." Perhaps in response to someone's comment to the contrary, he shouted that Accomack justice was corrupt because "whores and rouges were admitted to swear against him" in the Carter trial. Although Smith may not have realized that these words moved his disturbing domestic squabble into the realm of slander, his actions following his rash statement indicate the opposite. Withdrawing a little bit, Smith turned to a shocked Fruin and attempted to intimidate her into giving him some information on Scarborough's activities with Joanna.⁸

Tensions had escalated between the two men for months, and Scarborough probably listened to this testimony with the hope that the women might say something that would aid him in discrediting Smith. One point of contention could have been their lovers. Accomack countians knew that Scarborough was having an affair with Ann Toft, a young woman whom he had helped to acquire a substantial amount of land. Toft probably knew how to use abortifacients to avoid embarrassing and inconvenient pregnancies. When Elizabeth Carter determined she was pregnant, rumor suggested that Henry Smith had ordered his lover to visit "Mrs Ann" to procure a "physick" for her condition. Scarborough most certainly blamed Smith for placing him in the position of having to investigate Toft and hoped Smith would simply quiet down after the fornication proceedings.⁹

Instead, in the winter of 1668, Smith capitalized on Scarborough's increasingly tenuous authority and leveled allegations of sexual improprieties against the justice. Joanna Smith found herself at the center of the controversy as the two men struggled

for control of her person. In November, at the aforementioned social gathering, Smith publicly accused Scarburgh of coveting, and sexually corrupting, Joanna. Smith told Fruin that Joanna said Scarburgh "sent for her" after the fornication trial. Standing close by, Joanna answered "it was not so" and that Scarburgh "never sent for her to her knowledge," to which her husband retorted "he would not keep a wife of his to be a whore, and so Coll Scarburgh should know, nor would hee be a pimp." Shocked at these outbursts and hoping to restore tranquility to her home, Ruth Bundick answered that she was "very confident" that Smith should "not trouble" himself about Scarburgh. But, she admonished Smith that it would not hurt to "keep your wife at home." Bundick's hedged answer prompted Smith to "shake . . . his fist[,] stamping and grinning at his wife" like a madman. Following this outburst, he left, telling Joanna that he would "dragg" her "at his horse tail" if she resisted—and thus the public conflict between Scarburgh v. Smith and Smith v. the justice system, began.¹⁰

In the same December court session Joanna claimed Smith regularly abused her and his four-year-old stepdaughter, Sarah. One witness described how the child in question suffered from "blows and hard keeping" at Smith's hands. Concerned for the welfare of her daughter, Joanna had asked a neighboring couple to take Sarah into their house. The court seized upon the Savages' testimony for an understanding of day-to-day operations in the Smith household. Acting on allegations that Sarah's stepfather had squandered her inheritance, the court ordered an inventory of his possessions and then proceeded to act on Joanna's charges of marital cruelty and neglect. She had repeatedly testified that her husband physically and verbally abused her beyond what she considered to be the normal limits of chastisement.¹¹

Disregarding the fact that the Smith household was irrevocably broken, the justices ordered that Henry and Joanna comply with the court-constructed Articles of Pacification, a series of directives intended to pave the way to reconciliation by encouraging "greater quiet and satisfactory living." Joanna could choose to remain at Oak Hall with her husband or remove to Occahannock, where she would receive "meat drink and needfull cloathing" and a man or a woman to attend her needs. Smith could not visit his wife without her permission and two neighbors (commissioners) present who would "moderate the extreames of difference" while also physically protecting Joanna. Lastly, she would "have liberty at her pleasure to goo see her sister and friends."¹² Joanna and Henry read and signed the agreement, the colonial equivalent to separation with maintenance. The articles limited Smith's mastery over his own household. He no longer decided what his wife could eat or where she would live, and their physical relationship ended. The Accomack court effectively took control of Smith's marriage with the Articles of Pacification.¹³

Smith's anger prompted the justices to issue the Articles and Joanna happened to complain at a time that allowed Scarburgh to act. The court explained its reasoning at length. Invoking their connection to the Crown as a way to legitimate their political authority, they proclaimed that by "dishonour[ing] . . . the kings court and

members," Smith had placed himself in direct conflict with the "power and dignity of Government." It was, therefore, the responsibility of the court to remind Smith that higher powers granted even his household authority. Striking another blow in the same session, the court also ruled that mastery was "ill applied to such a person as Henry Smith," and henceforth he must take his servants before a commissioner prior to punishment. Additionally, the court warned that he could not take his servants to Maryland. As Smith was probably considering moving, this order directly interfered with the internal management of his household as well as its geographic location. Because Smith had failed to recognize the source of his domestic power, the December session ended with the court effectively barring him from all categories of mastery.¹⁴

In January 1668/69 the court met again and reminded Smith that he offended "the Kings Court of Justice" with his presence and actions. In an interesting turn, the justices admitted to a degree of bias due to his status as a recognized member of the community. Months ago, they had "omitted the needfull inquiry into some particulars presuming that said Smith was not altogether so cruell and impudent as was diverse ways altogether good," but they soon realized as time passed, that he was "one of the most wicked men." With their logic exposed to public scrutiny, the court shifted strategy and attempted to make its proceedings as formal and transparent as possible, a course of action that lessened public criticism and silenced Smith's threat to their authority. They moved from January forward with the intention that "stricter inquiry be made into the truths of said Smiths alleged guilt" and closed the initial declarations with the statement that they did not want Smith's "ill Example" to encourage additional challenges to their authority.¹⁵

The justices' choice of words pushed Smith into a corner, and he responded by attacking and undermining the court's authority at every possible juncture. He became more vocal in his allegations that the justices had from the very beginning formed a "combination" against him. Perhaps Smith hoped that spreading this accusation would position him in the public mind as the unfortunate victim of a corrupt judicial system. The justices noted the increasing ferocity of his rhetoric. "The Court the first tyme past over with reproach but he againe repeating the said words that the court have sufered a combination against him The Court have therefore thought fitt that hee bee comitted into the sheriffs custody dureing their pleasure." Smith refused to mend his ways after posting bond and being released on "good behavior." He went on trying to disrupt the basic procedures of the court and at times refused to speak or answer questions. At times he let the "heat of his rage" so overtake him that his "Rude behaviors and unbecoming words" flowed freely. Through "clamorous speeches" and proclamations of revenge, Smith strove to regain his household authority and control over his life.¹⁶

One particular struggle between Smith and Scarborough demonstrated the former's desire to retake control over the day-to-day details of managing a household. Joanna

continued to petition the justices for relief, claiming that her husband refused to adhere to the Articles. In response, they repeated their order that Smith "accomodate his wife Joanna with all things Agreeable to her fortune and necessities." Scarburgh proposed that she have a sidesaddle and mare so that "she might with more ease" gain her "solitude." Smith initially agreed, but the court soon learned that he "in spite hath sold or otherwise disposed the said side saddle." When the justices demanded to know his reasons, "Arrogant He knowingly answered that he had better thoughts and would not let his wife have that mare and side saddle." Angered, the court ordered the sheriff to seize the mare and saddle, but Smith had demonstrated that the court could not enforce its own orders. His "neglect or contempt of orders" due to his "owne negligence and obstinancy" continued to frustrate the administrators of local justice.¹⁷

Although the law bound court officials to obey certain rules, Smith refused to accept similar restrictions and relied upon trickery to achieve his aims. For example, in this same January session, he claimed that his house at Oak Hall mysteriously burned, and he faced the "necessity of living at his house at Occohannock" where his wife currently resided. He well knew that this move would chip away at the effectiveness of the Articles. When Joanna stated that she would be willing to relocate for a hogshead of tobacco yearly, Smith refused. His inability to reach a compromise with his wife-in-name led the justices to believe that he was operating under a plan "to some other unknowne" and nefarious ends. Their assumption soon proved correct. When he could not reclaim possession of Occahannock Smith retaliated and vandalized the property. The servants reported that he took down the glass windows and even the bedstead, leaving Joanna with minimal comforts as he once more rendered the court's orders meaningless, but this time the strategy backfired. Scarburgh encouraged Joanna to live with his mistress, Ann Toft, a move that further emasculated Smith. That arrangement served two purposes, at once publicly embarrassing Smith and enhancing Scarburgh's masculine credibility since he was now maintaining a wife, a lover, and another man's wife (perhaps as another lover).¹⁸

This January session also marked the first appearance of Smith's attorney, one John Tankard, hired to help with the defense and assist in his designs against the court. Smith quickly realized that he could use Tankard to belittle the justices' authority without directly suffering the consequences. Historians have noted that "public opinion was turning against attorneys" during this period due to certain perceived character flaws, and Tankard was no moral model. His behavior was noted by the court as "litigious" as he helped his client tamper with witnesses. Racholl Moody, in particular, declared that Smith, her aunt Joanna's husband, "did persuade her to deny" all charges against him. Racholl's statement proved important, for she was one of the few witnesses to the general abuse that went on inside the Smith household. Also, as a proven free woman, her testimony held greater weight than that of servants because she had nothing to gain by testifying. She also related how she had refused

Tankard's attempts to get her to sign an oath in private. When the court discovered this "odious and wicked disguise" they ordered that Smith and his attorney only admit evidences that were examined in open court in order to prevent, "subordination and misleading the Court in Judgment."¹⁹

When Smith was unable to corrupt witnesses he simply removed them to locations beyond the reach of the court. For example, Mary Jones, called to appear in the November 1668 Elizabeth Carter proceedings regarding her possible role in the infant's death, did not appear but arrived months later with a tale of woe in which Smith held her on "an Island" off the coast, "there kept as a prisoner where she could have noe Reliefe from Justice nor come to any to Complaine." Jones then accused Smith of repeatedly raping her at his Accomack properties as well as on the island. Other servants testified to Smith's involvement in two rapes, two murders, and a handful of lesser crimes. They came to court, in part, out of a desire to protect themselves from the fate of two male servants, John Butts—alias Ould John—and Richard Webb, both of whom reportedly died as a result of Smith's excessive labor demands. These deaths occurred despite the fact that the local court had warned him repeatedly against privately punishing his servants.²⁰

Faced with serious charges, Smith filed a petition of appeal to the governor, a fairly standard procedure. This "delay of justice" displeased the court, and at its February meeting the justices paused to consider what troubled their peer and neighbor. After much deliberation, they determined that he was of "noo Eminent Creditt" and acted as "A persuader and suborner of weake . . . people." He also "hath the marke of Gods Desertion by his pride and Arrogance not at all Humbled by the many Judgments God hath apparently showed." They then pointed to the recent deaths of his cattle as a divine sign that he was "without providence." In this action, the justices claimed a connection to the highest authority through which they could accurately interpret Smith's recent difficulties, including the Biblical images of animals dying and houses burning as symbols of damnation. Those who would criticize or stand against the court attacked God's authority. The justices turned Smith's own tactic of personal warfare against him and reinforced their earthly authority by sending Scarburgh to James City to consult with the governor. The court clerk prepared a detailed and accurate copy of the proceedings for the "Reputation of Justice." Such records could combat accusations of corrupt authority.²¹

Smith gritted his teeth and attempted to make it through a disastrous March court session as he waited for word from the governor. At this point the court seized some of his possessions in order to pay Joanna her maintenance. She had sought a separation from the outset and undoubtedly felt frustrated through the long months the court deliberated the case. As the Articles of Pacification fell apart, Joanna did not let the court forget her need of assistance. She petitioned the justices several times seeking "reliefe from Justice for her selfe and children" and from her "obstinate and perverse" husband. In March she directly asked for a separation with maintenance.

Rather than work to keep the marriage together, she wanted the court to draft a beneficial and enforceable separation arrangement.²²

Scarburgh had obviously used Joanna to emasculate Smith and seized every opportunity to demonstrate to the community that Smith could not provide for dependents and therefore deserved no respect. When Joanna finally tired of men's games and asked "to be permitted to goo to her friends in England," Scarburgh knew her wish allowed for the opportunity to lash out at Smith once again. Because Smith had failed to provide the court-ordered funds, Scarburgh paid for Joanna's passage to England himself. With Joanna out of the county, Smith no longer possessed even the smallest benefit of a marriage partner. He was left in an ambiguous marital state, one that limited his marital possibilities in the future. Joanna took with her few possessions, but she did escape her husband's vicious attacks, recalling his hurtful words, "i thinks you have a heart of stone and noe thing will kill you." During that same session, the court disbarred Tankard from pleading in Accomack County, ultimately disgusted by his declaration that "all this [the Smith case] would come to Nothing."²³

Left alone to fight against the court, it is unclear whether Smith truly understood that he could lose everything. The records note that he displayed a more agreeable demeanor with the justices, and it is likely this surface reformation concealed his plan of moving to Maryland. He acquiesced to the court's control over his household. For example, he sent Scarburgh a letter in which he requested permission to move cattle to a nearby island. Scarburgh granted the request but reminded Smith that he was not free yet and must "give security to have the Cattle in readiness upon the Govnors command." It is important to remember that this was the same Smith who had removed a vital witness to an island without any qualms of conscience. The events immediately following this exchange reveal Smith's motives. He pursued two lawsuits against local men and won, a maneuver intended to place him on decent terms with the justices in order to receive monetary gain.²⁴

In spring 1670, after almost a year of relative quiet in the case, all of the parties involved prepared for the General Court rape trial. The work proved difficult, since the justices could no longer rely on the illusion of unity. Local rule had fractured the previous year, under public scrutiny, as Smith leveled harsh criticism and rebelled against his peers. Justice Edmund Bowman, who had presided over much of the proceedings, caused a great scandal in reporting that the court had issued "erroneous" orders. Shocked and outraged by this public betrayal, the remaining justices sent a petition to the governor requesting Bowman's removal from office, claiming that he had failed to live up to the obligations of his "respective places." To bolster their tarnished credibility, the justices also chose a day to meet in a "publick Court" and listen to interested individuals voice their opinions about the judicial process. Additionally, the justices saw this public meeting as an opportunity to discuss ways to remedy the commotions unnamed "factious persons" had caused. As the trial

neared, they resolved to attend the hearing in James City in order to show unity. In preparation they revisited the entirety of their Smith-related discussions and publicly restated and rerecorded all of the testimonies in order to provide the governor with full as well as abbreviated versions of the proceedings. They also copied pertinent laws from Michael Dalton, *The Countrey Justice*, the most widely used legal reference text in the English North American colonies.²⁵

With Scarburgh and the others thus preoccupied, Smith discarded any and all attempts at secrecy and began to openly remove his property to Maryland so as to relocate and start over as quickly as possible. He proceeded without interruption until the court, responsible for ensuring Joanna's maintenance and learning that he was "dayly removing his estate . . . [to] Lord Baltimores province," requested another inventory of his holdings. Smith refused to comply and the court ordered the sheriff to complete the job. The official arrived at one of the houses in question and found the doors locked. Smith would not turn over the keys, forcing the sheriff to list only those items he could see through the windows. This was the last direct encounter between the Accomack court and Henry Smith.²⁶

By April 1670, local attention had turned to the General Court proceedings in James City. After a detailed revisiting of the evidence, the grand jury cleared Smith of the charges of raping two of his female servants. In fact, both of the women in question were then "ordered to double there tyme they have been from him." But Smith had no intention of keeping these potentially troublesome women and sold both of their indentures within days of the verdict. The disposition of the murder cases is unknown, but Smith's activities in Maryland in the years after 1670 indicate that he suffered little or no legal consequences. Calvert's colony offered the opportunity to start over and to begin his social climbing anew, and the choice to move up the eastern shore reflects careful planning. Smith had been plotting his relocation since 1668 and in the wake of scandals that had tarnished his reputation looked elsewhere for positive social prominence. Through an intriguing turn of events, he rose to leadership in his new Somerset County community, serving as justice of the peace by 1669, two years before selling his Accomack lands—Henry Smith was serving as a peace officer in one jurisdiction while facing rape charges in another. He later held the positions of militia captain and county representative to the Maryland General Assembly, 1682–1685, and may also have remarried. The records indicate that he safely weathered times of economic instability and ultimately achieved power in his new community.²⁷

Henry Smith's journey from criminal suspect to court justice offers insight into the practice of authority in colonial Chesapeake society. Although the justices initially shielded Smith from harsh penalties, his crimes eventually grew too grave to ignore and, as a result the court limited his powers of mastery. Smith responded by attacking the legitimacy of the court and the personal character of the justices. Shocked by these blatantly disrespectful displays, Scarburgh and his court tried to

NOTES

1. Peter Coldham, *The Bristol Registers of Servants Sent to Foreign Plantations, 1654–1686* (Baltimore: Genealogical Publishing Co., 1988), 172, 178, 215; Nell Marion Nugent, comp., *Cavaliers and Pioneers: Abstracts of Virginia Land Patents and Grants, 1666–1695* (Richmond: Virginia State Library, 1977), 1:555, 2:24; Stratton Nottingham, comp., *Accomack Tithables, 1663–1695* (Silver Spring, Md.: Family Line Publications, 1987); Warren Billings, John Selby, and Thad Tate, *Colonial Virginia: A History* (New York: KTO Press, 1986), 56, 58; Warren Billings, *Sir William Berkeley and the Forging of Colonial Virginia* (Baton Rouge: Louisiana State University Press, 2004), 214; Pauline Manning Batchelder, ed., *A Somerset Sampler: Families of Old Somerset County Maryland, 1700–1776* (Salisbury, Md.: Lower Delmarva Genealogical Society, 1994), 242–44; Jennings Wise, *Ye Kingdome of Accawmacke* (Bowie, Md.: Heritage Books, 1988), 84; Ralph Whitelaw, *Virginia's Eastern Shore: A History of Northampton and Accomack Counties* (Camden: Picton Press, 1951), 618, 628; T. H. Breen and Stephen Innes, "Myne Owne Ground": *Race and Freedom on Virginia's Eastern Shore, 1640–1676* (New York: Oxford University Press, 1980), 47; Susie Ames, *Studies of the Virginia Eastern Shore in the Seventeenth Century* (New York: Russell & Russell, 1940), 25; Accomack County Order Book, 1666–1670 (microfilm), Library of Virginia, Richmond (hereinafter cited as Accomack County Order Book, 1666–1670). For narrative clarity, I refer to all of the cases from 1668 to 1670 collectively as the "Smith case" or "Henry Smith case."
2. Mary Beth Norton, *Founding Mothers & Fathers: Gendered Power and the Forming of American Society* (New York: Alfred Knopf, 1996), 4, 10; Holly Brewer, *By Birth or Consent: Children, Law, and the Anglo-American Revolution in Authority* (Chapel Hill: University of North Carolina Press, 2005), 2, 4, 15–16, 18; Jenny Hale Pulsipher, *Subjects Unto the Same King: Indians, English, and the Contest for Authority in Colonial New England* (Philadelphia: University of Pennsylvania Press, 2005), 2–3, 6, 14–32; Susan Dwyer Amussen, *An Ordered Society: Gender and Class in Early Modern England* (Oxford: Basil Blackwell, 1988), 7; John Pagan, *Anne Orthwood's Bastard: Sex and Law in Early Virginia* (New York: Oxford University Press, 2003), 9, 150; Michael Dalton, *The Countrey Justice: containing the practice of the justices of the peace . . .* (London, 1666), 1; Robert Filmer, *Patriarcha; or, The Natural Power of Kings* (London, 1680).
3. Irmira Wawrzyczek, "The Women of Accomack Versus Henry Smith: Gender, Legal Recourse, and the Social Order in Seventeenth-Century Virginia," *Virginia Magazine of History and Biography*, 105 (1997): 26 (quote); Richard Morris, *Government and Labor in Early America* (New York: Columbia University Press, 1946), 491–96; Warren Billings, ed., *The Papers of Sir William Berkeley, 1605–1677* (Richmond: Library of Virginia, 2007), 367; Accomack County Order Book, 1666–1670, f. 94 (quote).
4. Warren Billings, *A Little Parliament: The Virginia General Assembly in the Seventeenth Century* (Richmond: Library of Virginia, 2004), 152; Warren Billings, ed., *The Old Dominion in the Seventeenth Century: A Documentary History of Virginia, 1606–1700* (Chapel Hill: University of North Carolina Press, 1979), 87; Warren Billings, "The Growth of Political Institutions in Virginia, 1634 to 1676," *William and Mary Quarterly*, 31 (April 1974): 225–42; Wise, *Ye Kingdome*, 83, 85; Stephen Botein, *Early American Law and Society* (New York: Alfred Knopf, 1983), 36; Whitelaw, *Virginia's Eastern Shore*, 27–28; Larry Boyer, "Revising the Law in Colonial Virginia, 1607–1705" (Ph.D. diss., George Washington University, 1989); Donna Spindel, *Crime and Society in North Carolina, 1663–1776* (Baton Rouge: Louisiana State University Press, 1989), 31. The Smith case lasted so long that a handful of justices heard

it. Other justices included Charles Scarborough, Capt. Geo. Parker, Major John Tilney, Capt. John West, Capt. Robt. Pitt, Mr. John Wise, Lt. Richard Hill, and Mr. Edw. Revell.

5. The Smith case constitutes one of the most prolonged and detailed examples. Accomack County, Deeds & Wills & Orders, 1663–1666 (microfilm), Library of Virginia, Richmond, f. 97 (first quote); Accomack County Order Book, 1666–1670, f. 22 (second quote).

6. Accomack County Order Book, 1666–1670, f. 60 (quote); Kathleen Brown, *Good Wives, Nasty Wenches, and Anxious Patriarchs: Gender, Race, and Power in Colonial Virginia* (Chapel Hill: University of North Carolina Press, 1996), 152; Billings, *Sir William Berkeley*, 202; Edmund Morgan, *American Slavery, American Freedom: The Ordeal of Colonial Virginia* (New York: W. W. Norton & Co., 1975), 246.

7. The term “physick” is a reference to an abortifacient. Accomack County Order Book, 1666–1670, f. 65 (first quote), f. 70 (second quote), ff. 80–81; Timothy Everett Morgan, “Turmoil in an Orderly Society: Colonial Virginia, 1607–1754” (Ph.D. diss., College of William and Mary, 1977), 125.

8. Accomack County Order Book, 1666–1670, ff. 80–81 (all quotes).

9. *Ibid.*, f. 80.

10. *Ibid.*, ff. 80–81 (all quotes); Terri Snyder, *Brabbling Women: Disorderly Speech and the Law in Early Virginia* (Ithaca: Cornell University Press, 2003).

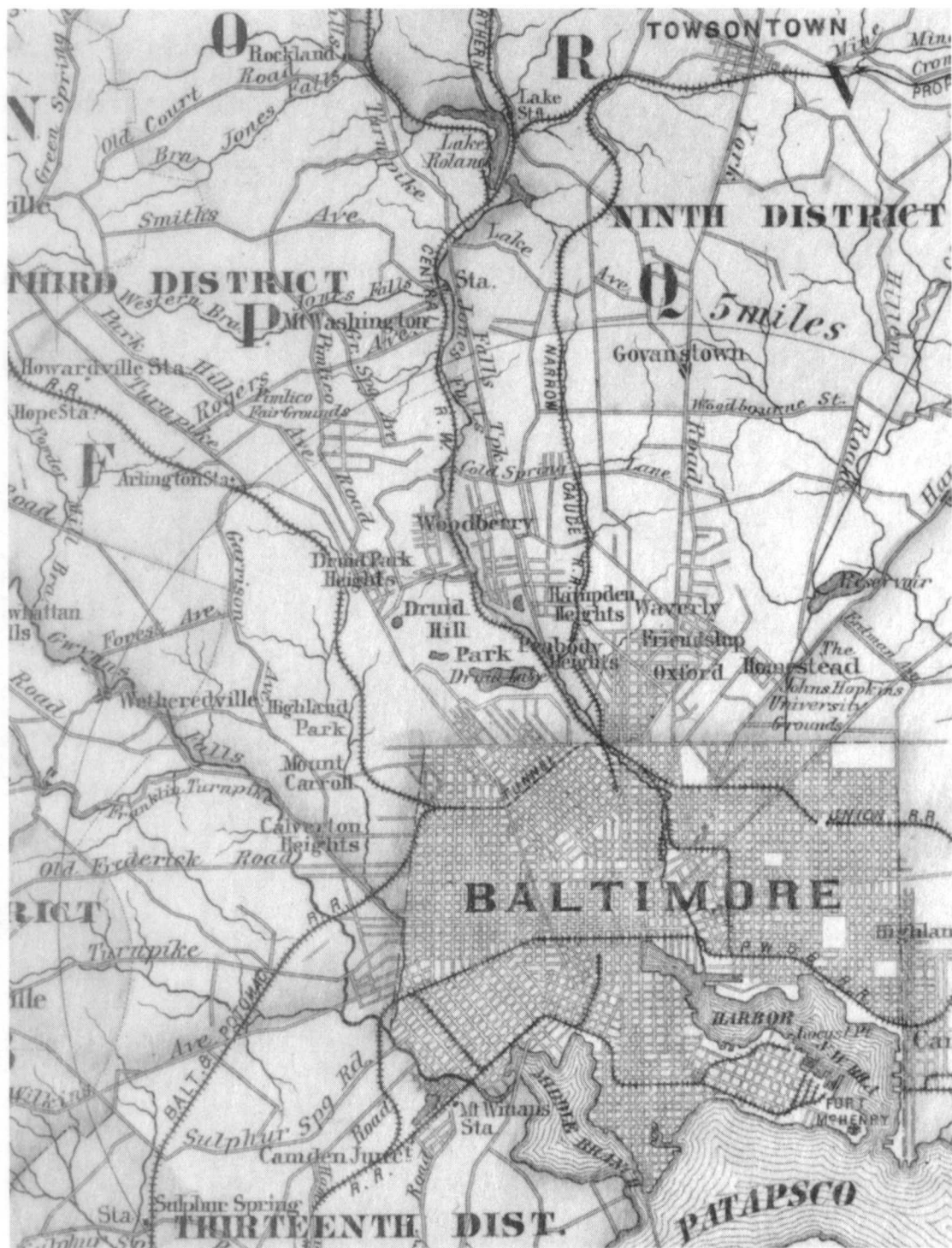
11. *Ibid.*, ff. 74, 88 (quote); Brown, *Good Wives*, 28. Joseph Matrum was Sarah’s father and Joanna’s first husband. It appears as if Smith was not interested in preserving any of Joseph’s property for Sarah’s future use. In addition, the court documents refer to Sarah as a “daughter-in-law,” but she was actually a stepdaughter. I use stepdaughter in the text in order to avoid confusion.

12. Accomack County Order Book, 1666–1670, f. 69, 70 (all quotes). The “two house neighbors” were supposed to “go with him to prevent his feared attempts of murthuring or beating his wife, and also to moderate their extreames of difference.” Norton, *Founding Mothers & Fathers*, 137. The inclusion of third parties by the justices represented a recognition that community policing worked.

13. *Ibid.*, f. 70 (quote); Terri Snyder, “As If There Was Not Master or Woman in the Land’: Gender, Dependency, and Household Violence in Virginia, 1646–1720,” in Christine Daniels and Michael Kennedy, eds., *Over the Threshold: Intimate Violence in Early America* (New York: Routledge, 1999), 226. In seeking relief from her husband, Joanna was not making a claim that men should not rule households because, as Amussen contends, “Everyone agreed that men were superior to women, that husbands ought to govern their households and that the household was the basis of order” (Amussen, *Ordered Society*, 133). The problem was the incorrect and illicit nature of Smith’s practice of household authority. As described by one historian, in early Virginia, marriage “was webbed by obligations and duties owed by both husband and wife. Husbands were enjoined by law and precept to protect and provide for wives; wives were required to submit to male authority and to assist their husbands.” Carol Berkin, *First Generations: Women in Colonial America* (New York: Hill & Wang, 1996), 14–15; Helena Wall, *Fierce Communion: Family and Community in Early America* (Cambridge: Harvard University Press, 1990), 10; Norma Basch, *Framing American Divorce: From the Revolutionary Generation to the Victorians* (Berkeley and Los Angeles: University of California Press, 1999), 48–49. As Basch notes, Virginia “adhered to the English parliamentary model” of marital dissolution, refused absolute divorce, and granted separation decrees sporadically. Virginia’s divorce code was neither the most liberal nor the most conservative of the colonies.

14. Accomack County Order Book, 1666–1670, f. 67 (first and second quotes), f. 73 (third quote).

15. Ibid., f. 94 (all quotes), 96.
16. Ibid., f. 68 (quote); Billings, *Sir William Berkeley*, 214. Smith was using the term "combination" to refer to the justices colluding or plotting against him; f. 76 (quote); f. 68 (all quotes); f. 76 (quote). As Raphael Semmes has noted for Maryland, colonists could demonstrate their discontent with judicial authority in a variety of ways, from disrespect to a refusal of assistance; each gesture, or lack thereof, provided a text that was readable to all colonists of that period, albeit with different interpretations. Raphael Semmes, *Crime and Punishment in Maryland* (Baltimore: Johns Hopkins Press, 1938), 15.
17. Accomack County Order Book, 1666-1670, f. 95; f. 96 (all quotes).
18. Ibid., f. 96 (all quotes), f. 100; Philip Bruce, *Institutional History of Virginia* (New York: G. P. Putnam's Sons, 1910), 1:562 (quote).
19. Bruce, *Institutional History of Virginia*, 1:562 (quote); A. G. Roeber, *Faithful Magistrates and Republican Lawyers: Creators of Virginia Legal Culture, 1680-1810* (Chapel Hill: University of North Carolina Press, 1981), 47; Accomack County Order Book, 1666-1670, ff. 97, 98 (second and third quotes), 112 (first quote).
20. Ibid., ff. 99, 103 (all quotes), 106, 136. This is the only time that Richard Webb is mentioned by name in the county records. It is unclear whether or not either of these murder cases went to the General Court at James City.
21. Ibid., f. 108; f. 104 (all quotes). Dalton spoke to the connection between the justices and God when he stated, "they exercise not the Judgments of men onely, but of God himself, (whose power they do participate, and who is alwaies with them)." Dalton, *Countray Justice*, 396; ff. 107-8.
22. Ibid., ff. 95, 104 (all quotes), 107; Snyder, "As If There Was Not Master," 226; Amussen, *Ordered Society*, 133.
23. Accomack County Order Book, 1666-1670, ff. 107 (first quote), 109, 128 (third and fourth quotes), 177 (second quote).
24. Ibid., ff. 142 (quote), 146-47. Smith sued two men in separate proceedings. He won tobacco in both.
25. Ibid., ff. 174-75 (all quotes), 178-81; Billings, ed., *Papers*, 365-67; William Waller Henning, ed., *The Statutes at Large: Being a Collection of All the Laws of Virginia . . .* (Richmond, Philadelphia, and New York, 1809-1823), 2:81; Spindel, *Crime and Society*, 26; Billings, Selby, and Tate, *Colonial Virginia*, 80; Peter Charles Hoffer, *Law and People in Colonial America* (Baltimore: Johns Hopkins University Press, 1992), 7; Dalton, *Countray Justice*, 1-397; Morris, *Government and Labor*, 494. It was common for authorities to consult legal treatises for guidance, but all of the preceding actions taken by the Accomack justices demonstrate the degree to which they were concerned with image as well as legality.
26. Accomack County Order Book, 1666-1670, ff. 180 (quotes), 181.
27. Accomack County, Deeds & Wills & Orders, 1671-1673, ff. 1-4; H. R. McIlwaine, ed., *Minutes of the Council and General Court of Colonial Virginia, 1622-1632* (Richmond, 1924), 217 (quote); Clayton Torrence, *Old Somerset on the Eastern Shore of Maryland: A Study in Foundation and Founders* (Baltimore: Regional Publishing Company, 1979), 424-25. Although Smith did achieve social prominence, he may not have been able to hold on to it until his death. Batchelder stated that, "By 1685 Smith had fallen heavily into debt, and many of his lands had to be sold to satisfy his creditors." (Batchelder, ed., *A Somerset Sampler*, 243-45). He died sometime before October 28, 1703, when a postmortem petition was made to pay his debts.
28. Accomack County Order Book, 1666-1670, f. 133 (quote).



Howard Cooper attacked Katie Gray near Rockland, Baltimore County. (Detail, G. M. Hopkins, Atlas of Baltimore County, Maryland [1877], 9.)

The Lynching of Howard Cooper

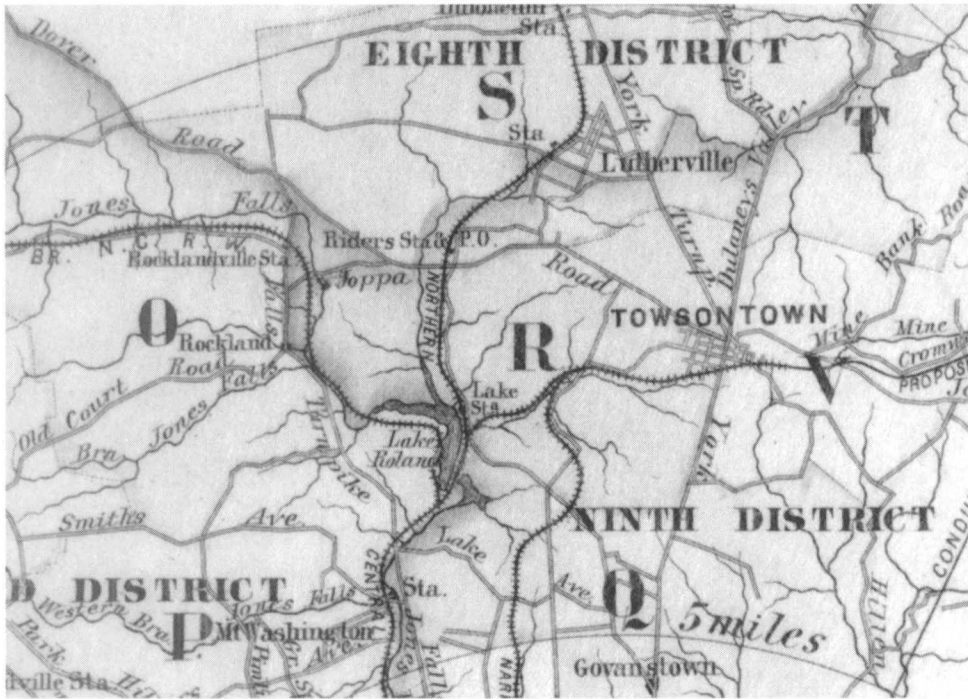
ALEXANDER ORMOND BOULTON

In 1885 the small Baltimore County village of Rockland looked like many others in Maryland—a grist mill, a long stone row of workers' houses, a blacksmith shop, a tavern, a general store, a post office, and a nearby train station that connected it with other small towns throughout the region. Today, Rockland is merely a long traffic light at the intersection of Falls and Old Court Roads, slowing anxious commuters as they speed between work in Baltimore City and their homes in the outlying suburbs. Little remains to indicate that a violent, late-nineteenth-century incident, part of the ongoing racial and social conflict left unresolved at the end of the Civil War, took place here.¹

What took place in Rockland and in the neighboring county seat of Towson from April to July 1885 constitutes but one episode in the nation's evolution into the modern world. In the closing years of the nineteenth century, many small towns declined as small farmers gradually became tenants of larger landowners, who increasingly lived in the city and took their carriages and the train to country homes on weekends to play polo and hunt foxes. The small farmers continued taking their grain to the Rockland mill, but the mill continually failed. The owners converted it to a dye-bleaching plant, then back into a mill, and, after a series of business ventures over the decades that followed, into a small boutique office complex. Many of the farmers left the county for Baltimore. Some took jobs in the steel mills, canning factories, and textile finishing shops. Those who remained clung to the traditions and social institutions that supported them psychologically, long after they had ceased to support them financially. The last refuge for many small white farmers was the family—a close-knit unit in which the wife, although a working partner on the farm, was increasingly idealized (at least in books, magazines, and newspapers of the time) as a pure, angelic being whose chastity was the key signature of the family's middle-class status.

If the situation of white farmers was dire, that of blacks was worse. Twenty years after emancipation, the meaning of freedom remained unclear. Historians sometimes describe the end of the nineteenth century as the beginning of the "nadir of race relations" in the United States, the time when the social control of slavery had been replaced by a virulent racism and legalized Jim Crow segregation. The mortality rate for blacks soared. Lynching became epidemic. Blacks competed with white laborers for work on country estates. Paid significantly less than their white counterparts and unable to support themselves and their families, many moved to the city, where

Alexander Ormond Boulton is a professor of history at Stevenson University.



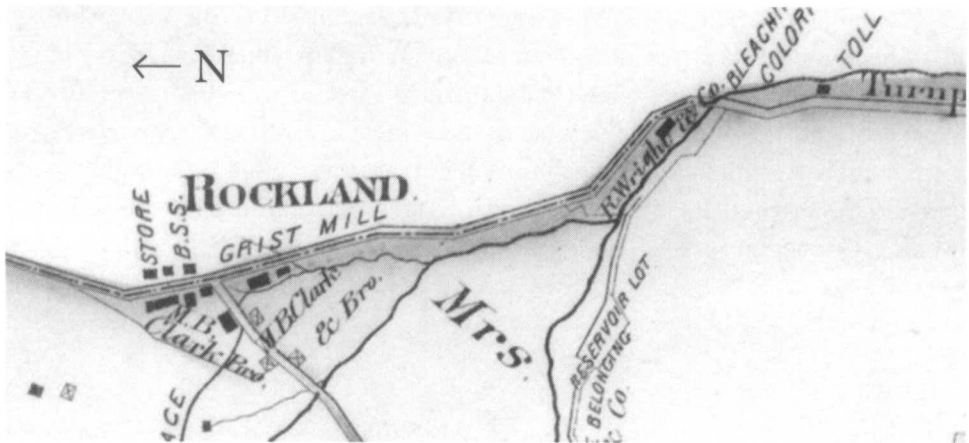
Rockland stands along the Falls Road, west of Towson, the county seat. (Detail, Hopkins, Atlas of Baltimore County, 9.)

their situation marginally improved. Some blacks in the county worked as domestic laborers, but many others fell into a growing class of underemployed or unemployed workers, as one author described it, merely “scraping by” from day to day. It was this crush of forces that set in motion the events of the spring and summer of 1885, and culminated in the lynching of Howard Cooper.²

“The Outrage”

“The outrage,” as newspapers reported it, occurred about six o’clock on Thursday evening, April 2, 1885. Twenty-two-year-old Katie Gray, described in the press as “a lady of refinement and intelligence,” was attacked by the “Negro fiend” Howard Cooper along Old Court Road just west of the small mill community of Rockland on the Falls Road north of Baltimore. The first reports described Cooper as a “big, burly, bull-necked man,” but later accounts more accurately described him as between five feet six and nine, weighing about 125 pounds. Though only seventeen years old, he looked older, and one reporter wrote that he was “a small-looking man, with a pretty good face. His nose is straight and his eyes are bright.” Many in the area knew him, and he had served time in the House of Correction and the county and city jails. Several months earlier he had been charged with throwing stones at the daughters of an H. Rider near Riderwood station off Joppa Road and Bellona Avenue.³

On the night of the incident, Katie Gray was walking home from the railroad



Rockland, showing location of the grist mill. (Detail, Hopkins, *Atlas of Baltimore County*, 51.)

station at Rockland (across Falls Road from the Valley Inn restaurant), where her sister, Susie, had taken a train for Towson. Gray met Cooper about half a mile from her home at Spring Hill Farm along Old Court Road. They exchanged a few words, and she continued walking toward her house. After a few moments, Cooper followed her. Carrying a piece of wood (some reports say a rock), he jumped over a fence and quickly overtook her. He pulled her into the woods, threw her on the ground, beat her with his fists, and threatened to kill her. During the struggle, Gray picked up a rock and hit Cooper, cutting him above the left eye. The attack occurred over the course of approximately two hours, until Gray's dog, Bruno, hearing her cries, ran to the scene, and chased Cooper away.⁴

Katie Gray "leaving a trail of blood through the woods for 200 yards" arrived home and collapsed on the porch of her house. Her mother found her there, and waved with both arms to her husband, Daniel C. Gray, who was nearby in the barn. Katie Gray, as she lay on the porch bleeding, her face and neck bruised and swollen, told her father what had happened. Daniel Gray grabbed his shotgun and retraced his daughter's steps through the woods, where he found her hat and shawl on the ground at the scene of the attack. Many of Daniel Gray's "friends and neighbors" soon joined him, and they searched for Cooper late into the night.⁵

That same evening Dr. H. Louis Naylor arrived at the Gray household and found Katie Gray "suffering from nervous prostration." Her upper lip was cut, her face, neck, and breast bruised, and her back was injured. He dressed her wounds and advised rest. The following day he examined her again and "found her entire body bruised, and most unquestionable indications of the assault."⁶

Word quickly spread, and for the next few days mobs of white men scoured the countryside around Rockland and Towson, searching for the assailant. The county offered a \$200 reward for Cooper's capture but the men in pursuit of the alleged attacker clearly sought blood, not money.

The night of the attack, Cooper went to the house of Moses Sheridan, who was identified in the newspaper as "colored". Sheridan lived in a house belonging to Dr. Grafton Bosley, who owned a large plot of land in West Towson. Baltimore County Sheriff Knight and his deputy Risteau arrived at the house just as Cooper ran out of a cellar window. Knight and Risteau fired at him as he ran off into the night. Sheridan told the sheriff that Cooper, bleeding, had arrived at his house at about six that evening. Cooper had at first told Sheridan that he had been in a fight with two boys but then confessed that in fact he had attacked a lady, a relation of Mr. Gray's, beat her, and that she had hit him with a stone.

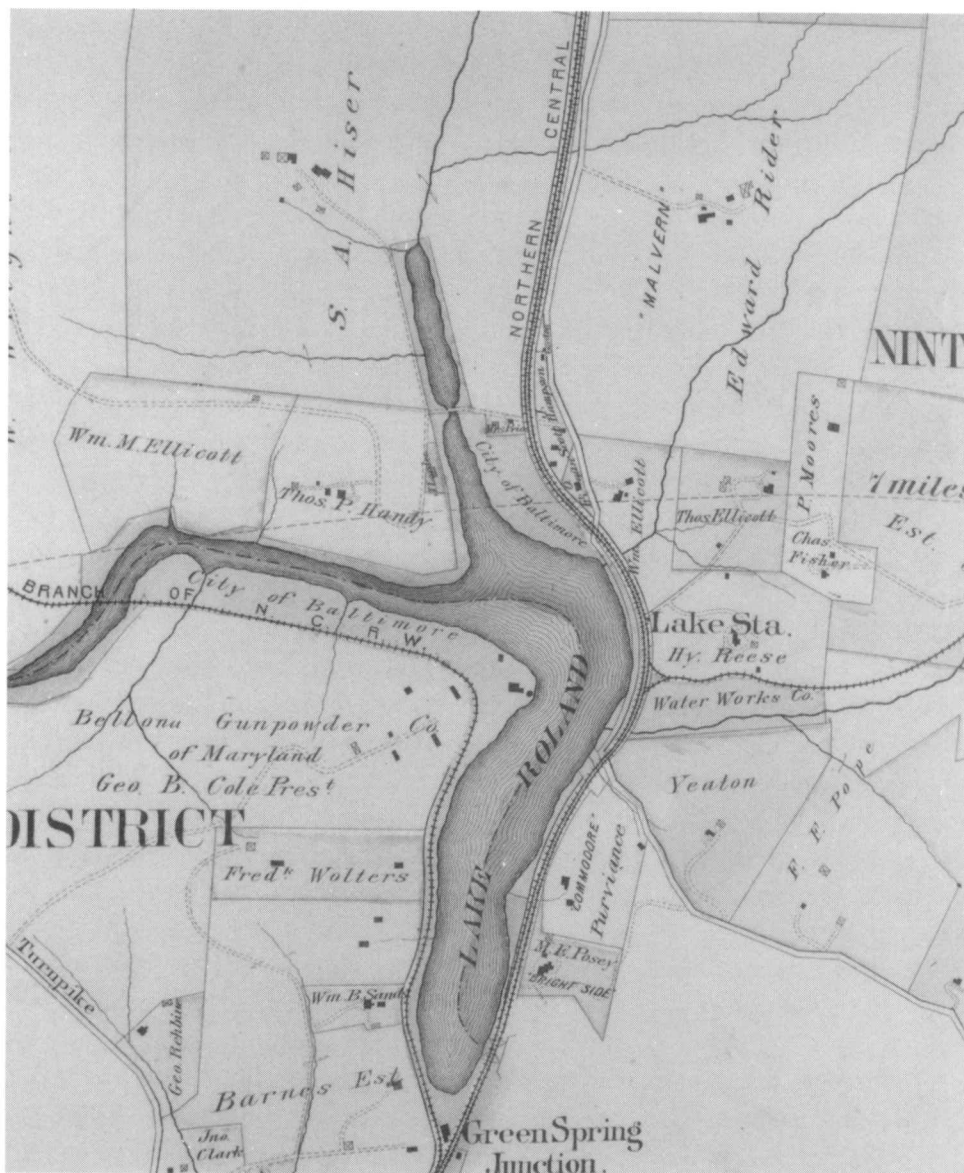
Capture

For the next few days, Howard Cooper stayed off the roads and open fields and kept to the woods, venturing into the open only at night in search of food. Through the trees he could see men with guns searching for him. On Monday, April 6, after four nights in concealment, he went to Edward Rider's farm, two miles west of Towson, where his aunt worked. One of Rider's workers, a black man named Ferdinand Young, on his way to feed the horses, spotted Cooper, who asked for help and food. Young told him to hide in the loft of the barn and covered him with corn husks. Instead of going for food, however, Young approached Joshua Brown, another worker on the farm, and then two white men, Frank Finnan and Edward Wall, and told them where to find Cooper. The four then returned to the barn, jumped Cooper, tied his hands behind his back, and marched him off to the Towson jail.⁷

Earlier in the day a rumor had spread through the county that Cooper had been captured in Edgewood in Harford County and had already been transferred to the Baltimore County jail in Towson. The *Baltimore Sun* reported that when Daniel Gray heard the rumor, "he straightened his bent figure and exclaimed, 'Thank God!' He said it was the intention of the young men of the county to rescue Cooper from the Towson jail as soon as he was taken there and to carry him to the spot where the assault took place and lynch him. 'I will be the executioner myself,' he said, 'and I think every father in Maryland will say it was right and it was just.'"⁸

That afternoon, Daniel Gray, his son, and a number of farmers from the Rockland area and beyond, rode to Towson on horses, wagons, and in carriages. By ten o'clock approximately three hundred surrounded the old Towson jail.⁹ (The three-story stone building, built in 1854, still stands at the corner of Towsontown Boulevard and Bosley Avenue.) Sheriff Knight, who had gone to Edgewood to confirm the rumor, returned that evening, and over the course of the next hour or two the crowd dispersed.

Meanwhile, Finnan, Wall, Young, and Brown, with their captive, walked into Towson, but, seeing the mob, stopped and hid in a nearby quarry until the mob had dispersed.¹⁰ Finnan then walked alone to the jail, knocked on the back door, and called to Sheriff Knight that he had Cooper and did Knight want him. The sheriff, thinking it was a ploy to get him to open the jail door replied, "No, give him to the



Howard Cooper's friend Ferdinand Young hid him in Edward Ryder's barn. Young then alerted several farmhands who captured the fugitive and turned him over to the sheriff. (Hopkins, *Atlas of Baltimore County*, 62–63.)

mob." Knight later said he thought that Finnan was lying and that he had replied in jest. After a brief conversation, Finnan convinced Knight that he was telling the truth. He returned to the quarry and delivered Cooper into the sheriff's hands. The following day, Finnan, Wall, Young, and Brown went to the county commissioners' office where each received a fifty-dollar reward.¹¹

Whatever Sheriff Knight's personal feelings may have been, all reports indicate

that he recognized his duty to protect his prisoner. Realizing that the mob might quickly reappear when word got out that Cooper was in custody, Knight and Deputy Sheriff Risteau "left the jail on foot and started across the fields and woods with their prisoner." They stayed off the main roads and safely delivered Cooper to Baltimore's Central Police Station, eight miles away, by two o'clock Tuesday morning, April 7. A *Baltimore County Union* reporter wrote that with his frantic flight from the mob over, Cooper now "breathed much freer and did not hesitate to talk . . . and quite flippantly, too."¹²

When Cooper removed his stiff-rimmed hat, the reporter saw the cut that Katie Gray had inflicted on his forehead and asked, "Why did you treat the young lady the way you did?" Cooper replied, "I did it for devilment . . . just to beat her for fun." He then added that "he waylaid her purposely to gratify his desire for 'devilment.' Her heroic resistance infuriated him, and he beat her the more because of her bravery."¹³

In Towson, the news spread that Cooper had been taken to Baltimore, and a crowd again gathered Tuesday morning outside the Towson jail. Many people did not believe it. "'That's one of Sheriff Knight's schemes to throw us off the track,' said one," but the men eventually dispersed "and went off to their homes cursing Cooper and Sheriff Knight." Some of them went to Baltimore for the purpose, they said, of identifying Cooper to the authorities. The officers at the Baltimore City Jail, though, suspecting that their motives were more sinister, refused to let them see the prisoner.

That same afternoon, Cooper stood before Justice Cashmyer for arraignment at the Central Police Station. The *Baltimore American* reported that he

seems like a man who has lost part of his senses. He talks but little, but that little is said with a voice and tone that indicates a weak mind. When questioned . . . as to why he committed the assault, he replied that he didn't know. He seemed incapable of realizing his position, and turned his head listlessly around the room. When The American reporter asked him why he did it, he answered: "Jes' devilment, sir; jes' devilment." "Did you outrage the girl?" [he] was asked. "No sir," he answered. "'Deed I didn't, sir; 'deed I didn't." "What did you do?" "I jus' beat her, sir; jus' beat her."¹⁴

Cooper later spoke to reporters often during his time in the city jail, admitting that he had been a mischievous boy. He had once sawed a ladder halfway in two and then hid nearby to see a man fall as he climbed. On another occasion, after his mother punished him for some prank, he painted a black dog with whitewash. Many other stories, reporters said, could not be printed.

Cooper's imprisonment in the city jail infuriated some Baltimore County residents. One man who had spent four nights searching for him complained, "What

right have your Baltimore people got to harbor Baltimore county prisoners?' . . . The old fellow then got a little excited, and denounced Baltimore and Sheriff Knight in very strong terms. 'We've got a jail here,' he said, 'and here's where our prisoners ought to be put, and if the people choose to tear the jail down and take a prisoner out of there and hang him, the sheriff could not be held responsible.'"

On April 15, one week after his capture, Cooper was arraigned again, this time in Towson. A group of men had organized for the purpose of seizing him from the sheriff, after which they intended to "take him to the spot where the assault was committed and there burn him." To elude the mob, the specific date and time of the arraignment was kept a strict secret, and Knight and his deputy with a pair of fast horses and a carriage brought their prisoner to Towson where he was quickly arraigned. Daniel Gray, his wife, Doctor H. L. Naylor, and presumably Moses Sheridan appeared as witnesses. Cooper pled "Not Guilty" and when asked if he had a lawyer replied that he did not and requested that the court appoint one for him. Knight slipped Cooper in and out of a back door, and the whole proceeding went so quickly that clerks working in the courthouse did not know about it until after he had been safely removed from the town and was back in the city jail two hours later.¹⁵

The Trial

Over the course of the next few weeks, as Howard Cooper sat in his cell in the Baltimore City Jail, the wheels of the legal system began to turn. Cooper's mother, whose name was never mentioned in the press, applied to the court to have the case removed to the City of Baltimore charging that her son could not receive a fair trial in the county. The county court agreed that the principle charge of rape could be removed to the city, but a second charge of assault would remain on the county docket.

In Baltimore, presiding judge Stewart appointed two young lawyers, William George Weld and A. Robinson White, to defend Cooper, two other lawyers having refused to accept the case. Weld and White then requested that the case be moved from the Criminal Court of Baltimore City to the United States Circuit Court "on the ground that the jury laws in operation in the counties of Maryland discriminate against colored men in violation of the fourteenth amendment to the Constitution of the United States." The judge denied the request. Cooper's lawyers then requested that the Not Guilty plea be changed to a plea in abatement. White and Weld would not contest the facts of the case but challenged the process of the procedures, giving them grounds for future review. Judge Stewart denied this motion.¹⁶

Howard Cooper stood trial May 21, from 10:00 a.m. to 4:00 p.m. with an hour and a half break for lunch. A large crowd, many from Baltimore County, gathered at the city courthouse, filling the courtroom and overflowing into the street. A squad of police escorted the prisoner through the throng. Once inside a warden and four deputies surrounded Cooper, who "looked like a frightened boy. He was about five and a half feet tall, muscular, with bright bronze skin, and a smooth face." The report

added, "His appearance is not forbidding, and altogether he looks like a boy who had never been disciplined to any hard work."¹⁷

Jury selection started about ten o'clock, and within an hour the all-white, all-male, jury took their seats. When questioned nearly all the jurors said they had formed an opinion but "that it would not interfere with rendering an impartial verdict exclusively upon the evidence." One man was excused from the jury when he said that he would hang Cooper.

The witnesses included Katie Gray, her father Daniel, Dr. Naylor, and Moses Sheridan. Miss Gray, who had been in seclusion in a nearby office, was escorted into the courtroom with her mother and father. She and her mother "were attired in mourning and wore long crape veils" hiding their faces.¹⁸ Katie Gray sat facing the jury, her back to the crowd in the courtroom.

She sat very near the jury, gave her testimony in a subdued voice, but very intelligently, and her lady-like appearance and demeanor at once excited the sympathies of all present.¹⁹

The effect of Miss Gray's testimony was apparent on every face in the courtroom. As she finished a hundred men cast angry looks at Cooper, who glanced about him nervously and seemed trying to evade the eyes of the crowd.²⁰

None of the reporters used rape-specific language in their coverage. The only oblique reference was the *Sun's* delicate statement that Cooper's lawyers "asked the jury to find that Miss Gray was mistaken as to the vital point in her testimony, and to find a verdict on the second count." In other words, Cooper should be found guilty only of attempted assault, not of rape.

One of the prosecuting attorneys, Mr. Burke, argued that the second count (of assault) had been added "only as a precaution in the event of Miss Gray's death," adding that he would rather see Cooper go free than have him found guilty of the lesser charge. Another prosecutor, Mr. Kerr, praised Miss Gray's courage for appearing in the court. Her actions, he said, were "an honor to the womanhood of Maryland." The jury did not leave their seats but returned their verdict of "guilty" in less than one minute. Cooper "called out in a loud voice, 'I am guilty of beating her, but of nothing else.'"²¹

The court sentenced Cooper the following day, the date and time a secret in order to minimize the number of people present. Weld and White, who planned to appeal the verdict, agreed not to contest any evidence admitted at the trial but to base an appeal solely on the issue of the exclusion of blacks from jury service. A warden and seven deputies brought Cooper into the courtroom, and several people who had seen the prisoner van rushed inside. The prisoner, standing in the dock, showed no emotion. Judge Stewart asked if he had anything to say before judgment was rendered, to which he replied, "Nothing."²² The judge then explained that the crime was

deserving of the severest punishment. The victim of your lust was a young lady whose reputation was unblemished and who never gave you cause to approach her except with the utmost respect. It is true that her life was spared, but with the humiliation that her person has been violated by one of the most depraved of the human family. . . . It is to be hoped that the sentence now to be imposed may have its effect not only in aiding you to repent of your past life and prepare you to meet your Maker, but in deterring others from the commission of like offenses.²³

Cooper betrayed no emotion as the judge spoke, "The sentence of the court is that you shall suffer death by hanging by the neck." Governor Henry Lloyd would set the date.

Within days, a *Sun* reporter interviewed Cooper as he sat, barefoot, on the edge of his bed. He admitted that he had attempted and failed three times "to commit the felonious offense" (rape). The reporter noted that Cooper "did not seem to realize fully the fate awaiting him," although he knew before the trial he would be found guilty and sentenced to hang, "they would hang a nigger for doing anything to a white girl, but he did not think of that when he committed the offense." Asked if he was sorry he replied, "Ah, yes, I am sorry. I was sorry an hour after I did it."²⁴

Cooper's lawyers sent an appeal to the Maryland Court of Appeals, charging that the state systematically excluded colored men from sitting on juries. The court denied the appeal on June 23 and confirmed Cooper's death sentence. On Friday, June 29, Governor Lloyd signed the death warrant and set July 31 as the date of execution. The following day Sheriff Knight and Deputy Risteau brought Cooper back to Towson. As the party rode north on Greenmount Avenue, Cooper said "that he had often come out of Baltimore that way, but he guessed it would be the last time." Knight agreed, and Cooper replied "it was about as well for him to die now as at any other time, or better if he had been lynched, as now he had time to repent of his sins." In the Towson jail, Cooper was placed in the "murderer's cell . . . the second on the right of the second tier." That afternoon he went to the sheriff's office where Knight read the death warrant before a small gathering of about twenty people:

[Cooper] walked with a firm step, folded his arms. He showed no emotion. Cooper looked the Sheriff intently in the face. The Sheriff finished reading the warrant and said, "Howard, I advise you to make preparation for death. I do not think there is a particle of hope for you." Cooper replied, "No sir, I don't think there is."²⁵

Cooper took out a pipe, asked for a match, and went back to his cell.

White and Weld contemplated appealing the case before the Supreme Court if "some of the colored societies in Baltimore" could raise the money, estimated from \$100 to \$800. Some believed that "colored secret societies" had already begun to

raise the sum and, if the appeal moved forward, Cooper would be returned to the city jail. The Court could declare Maryland's jury system to be unconstitutional, and a second trial might be required. As the *Sun* commented, "Our authorities and people would thus a second time be compelled to be inflicted with the filthy details of this most horrible, brutal crime."²⁶

The Summer of 1885

Articles in the *Baltimore County Union* and the *Baltimore Evening News* fueled excitement through the summer, exacerbating already heated emotions.

The neighbors of the Gray family . . . hunted the worse than assassin [i.e. Cooper] day and night, and they have never for a moment lost sight of the prisoner or interest in the case since the arrest was made. They have resolutely waited to see justice done, and it has been hard to restrain the natural impulses that stirred them at every mention of the outrage. The case is without a parallel for brutality, and it is to be regretted that the penalty is not without a parallel also. Hanging is too easy a death for the miscreant. He ought to be burned and tortured slowly to death. His crime is the most shocking on record, and he has shown himself to be a brazen, hardened brute whom it would be a compliment to call an animal. . . . He and vile scoundrels like him know no punishment that does not inflect bodily pain, and the more of it that could be inflicted upon him the better it would be for the safety of society and the reformation or restraint of the ravishers.²⁷

And:

Since the commission of the dastardly act of the brutal negro Cooper in this county last April, there seems to have been a wave of this species of crime passing over the State, no less than four deeds of the kind having been reported since then. . . . in crimes of this kind we think that the sooner the perpetrators are disposed of the better. The delays of the law, as instanced in the Cooper case, are most exasperating to the people. There are so many loop-holes open to criminals of all classes that it seems almost impossible to convict one, and after they are convicted, shrewd lawyers frequently succeed in getting them off. . . . To have these cases carried from one court to another, each report of the proceedings bringing fresh to memory all their horrible details, is not only an outrage upon those who have personally suffered, but the effect upon the community generally is damaging and should not be tolerated.²⁸

On the same day that Howard Cooper was transferred from the Baltimore to the Towson jail, another black man was accused of a similar crime in Mount Airy,

Carroll County. According to reports, Townsend Cook entered the house of John and Carrie Knot, while Mr. Knot was away from the house. Cook demanded food from Mrs. Knot, then struck her with a club and assaulted her. Townsend Cook was arrested that same day and taken to the Westminster jail. Three days later, according to the *Baltimore County Union*:

About 1 o'clock on Tuesday morning a number of masked men surrounded the jail, overpowered the Sheriff and secured Cook. They placed him in a wagon and took him to a point near the scene of the crime and hung him to a tree. The affair was conducted very quietly and, was well managed. A piece of paper was tacked to the tree, upon which the following was written: "This man confessed his crime."²⁹

Other papers filled in some of the details of this "well-managed" lynching. The *Sun* papers noted that the "The mob stripped off all his clothes except for his trousers." The *Baltimore News* reported that Cook, "was hung, the rope broke, Cook fell to the earth, the rope was attached to a chain and he was hung again, and then shot twice in the back of the head."³⁰

Townsend Cook and Howard Cooper's fates were not isolated events in Maryland or the nation in 1885. Under the heading "Outrages and Lynchings" the *Baltimore Sun*, on July 8, 1885, reported episodes in New York, Kansas, Texas, and Louisiana similar to those involving Cook and Cooper. Excitement over black crimes against women and the role of law was endemic throughout Maryland and the nation for decades after the Civil War. Throughout these years, ideas about brutal black rapists were part of a national culture that simultaneously idealized the purity and submissiveness of white womanhood.

An example of this ideal can be found in the account of a women's fundraiser for Confederate veterans held in Baltimore the summer of the Cooper trial. The two-day event featured an auction, food, and music in the Oratorio Hall, festooned with flowers, flags, wreaths, and "Hosts of pretty ladies in charming costumes."³¹

The Frederick Times says "If you desire to see unadulterated girls, rosy and fresh with the ruddy glow of health, and a step as light and elastic as that of the graceful antelope, just let them drop into Frederick one of those fine days, and they will see such a bounding on every street — yea they will find more beauty, done up in female form, than in any other town in Maryland, and don't you forget it." To this the Annapolis Advertiser adds: "Stop your bragging and come down this way and take a peep at our girls, and we'll show you what beauty is."³²

The great fear that drove many was that of racial mixture, another subject that received press attention that summer. On August 1, 1885, the *Baltimore County Union*

ran an article discussing the effects of racial mixing in New Orleans, with examples of African features reappearing in the children of apparently white families with a distant "negro ancestor."

Lynching

Perhaps the last development to contribute to the lynching of Howard Cooper was the belief that members of the African American community were successful in raising money for an appeal to the U.S. Supreme Court:

Cooper's Backers—A printed circular has been issued and is being distributed among the colored congregations and colored secret societies of Baltimore asking subscriptions to the fund for an appeal in the case of Howard Cooper, colored, sentenced to be hung July 31 for assault upon Miss Katie Gray. A colored clergyman said last night that the movement will certainly succeed, considerable interest being shown in the matter by colored people of means. The circular is as follows: "Baltimore, July 2, 1885. The Progressive Association appeals to the various African denominations and the general public for aid in defraying the expenses of a writ of error in the Cooper case before the Supreme Court of the United States, so as to protect the colored people in the civil and constitutional rights, which have been flagrantly violated in the trial of Cooper. If we permit encroachments to stand in this case it will not be long before the safeguards of civil and religious liberty will be swept away. By contributing to this cause you will contribute to perpetuate liberty and to resent encroachments thereon."³³

The solicitation for funds was submitted by several prominent African American ministers in Baltimore including: Reverend A. Brown, Reverend Harvey Johnson, James A. Collett, E. W. L. Peck, T. L. Evans, P. G. Walker, J. M. Gilmore, C. W. Lawson, J. P. Shreeves, Robert Steele, George D. Brent, John Anthony, John N. Gant, Calvin Farrar, Geo. D. Brent, C. G. Thomas, and Watson A. Coleman.

One of the men who lynched Howard Cooper later told the *Baltimore County Union*:

When we received information that enough money would be raised to carry Cooper's case to the United States Supreme Court we concluded that the only way to save Miss Gray from further mental suffering was to act promptly. . . . We thought that if the money was gotten together on Sunday, Cooper would probably be removed to Baltimore city jail on Monday. All of Mr. Gray's neighbors and friends had been wrought up to the highest state of indignation at the intense agony his daughter and family have undergone, and when we ascertained that the law was going to cause another delay we determined to take matters into our own hands.³⁴

On Friday night, July 10, small groups of men began to gather in Towson. Young ladies, according to the *Sun*, fashioned masks out of their dress material for their sweethearts to wear. One man was seen on the street with a bundle under his jacket. When questioned, he laughed and said "Feel it; it is a cravat for Howard," and then showed him a coil of rope. "One of those in charge of the jail" (perhaps Deputy Risteau) prematurely predicted "there will be a circus in this town tonight."³⁵

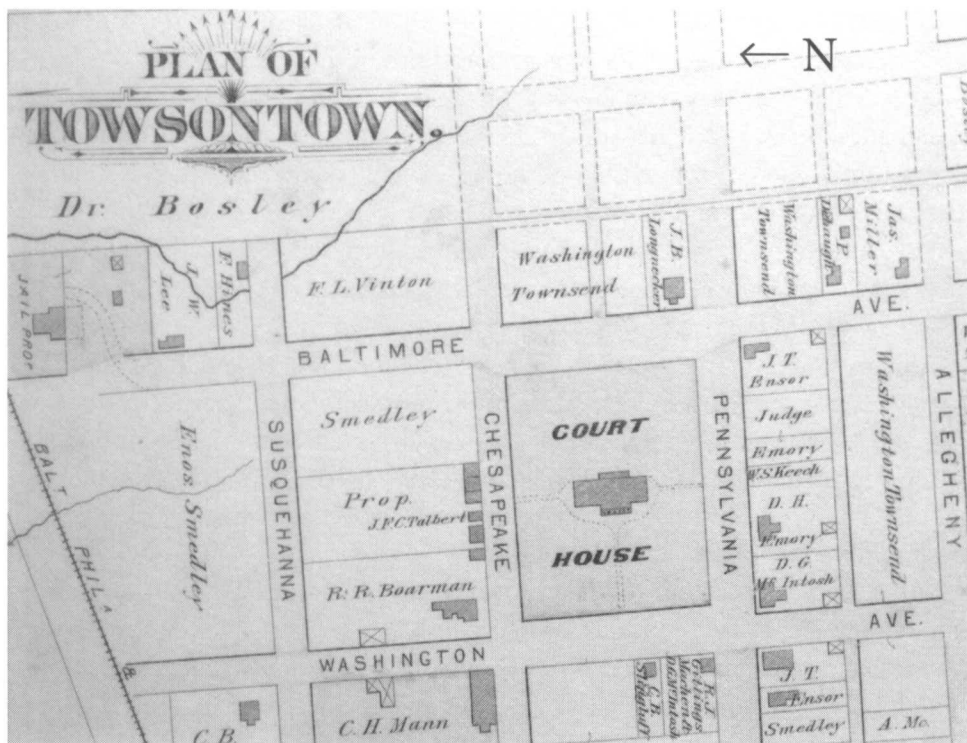
Excitement built over the weekend. On the afternoon of Sunday, July 12 organizers of the lynching sent out messengers with instructions to gather that evening at Powder Hill at the end of Chesapeake Avenue about one mile west of the center of Towson. That evening, groups of men arrived on horseback and in carriages and buggies. One group "from the vicinity of the outrage" joined another group from Towson. They selected a leader, whom the reporters referred to as "Commander" or the "Captain." He was, according to one of the lynchers, "one of the pluckiest, coolest fellows you ever saw. He is a farmer about medium height, weighs perhaps 170 pounds, and is active and full of fire."³⁶

That night, the captain rode into town alone and inquired at the train station whether the sheriff had returned from a trip he had made earlier in the day. Assured that he had come home on the 11:00 p.m. train, the captain joined about seventy-five of his men, who, wearing dark masks or white handkerchiefs covering their faces, had gathered on the grounds of the Towson Court House. From there a detachment of about twenty men hurried over to Delaware Avenue, two blocks away, and brought back a large flagpole that apparently had been lying on the ground, a relic of some past political event. The pole was about thirty feet long and a foot in diameter at the widest end. With this as a battering ram, the mob moved toward the jail, where the captain called out to Sheriff Knight.³⁷

The jail in Towson served as the living quarters for the sheriff and his family, a son and two daughters (his wife is not mentioned). Knight's daughters were entertaining a party of three ladies as overnight guests. When the captain called to him, Knight did not come out immediately. By one account, he was unaware of the excitement, had begun to undress for bed, and knew only that something was amiss when he heard his dog barking. By another account he was in the center of the jail among the cells waiting for whatever was about to happen.³⁸

The three-story jail held thirty-four prisoners, including Howard Cooper. Deputy Risteau did not work that evening. Only the night watchman, William Nelson, was on duty. Knight and Nelson wore only their pantaloons and undershirts. Knight was unarmed, but Nelson had a pistol at the ready. Reports of what followed are confusing and often contradictory, but all state that although the sheriff decided not to use armed force, he did try to protect his prisoner.

When the captain called out, Knight's oldest daughter responded from a window. According to one report she replied, "You ought to be ashamed of yourselves to attack the private part of the house where there are only ladies and children." Another



Towsontown, Baltimore County, site of the Cooper lynching. Note the "jail prop[erty]" on the far left. [Hopkins, *Atlas of Baltimore County*, 65.]

reporter wrote that she told the captain "he could not force an entrance through the front of the jails, but that if he would go to the rear he could force a door leading directly into the jail proper."³⁹

Leaving a few men to guard the front of the building, the rest of the mob went to the rear, quickly broke through a tall fence and began to batter down the door. When the first blows failed to break through the captain again went to the front of the jail, demanding to talk to the sheriff. Knight came to the window, and the two exchanged words that were garbled in the reporting. The captain asked Knight to come down, assuring him, "I'm a friend, sheriff, and if I were to mention my name you wouldn't hesitate to open the door." Knight apparently recognized him, at which point the mob leaders suggested he "take his family away for the night and let us remove Cooper quietly."

Knight refused and instructed his daughter to lock him in the jail, where he planned to defend his prisoner. "They're after you," he told Cooper, who went to end of his cell and pulled his mattress over his head and body.⁴⁰

After six more blows with the battering ram, the mob finally broke down the back door and rushed into the jail. The sheriff's daughters and their guests burst into "loud crying and wailing" as the crowd quickly overcame their father and the watchman. Knight said later that he pulled a white handkerchief off the face of one



Old Baltimore County Jail. (Author's photograph.)

of the mob but did not recognize him. He added that he saw the faces of several others, but they were all strangers to him.

Members of the mob picked up the watchman's lantern and looked into each of the cells. They passed by Cooper's cell half a dozen times but did not see him hiding under his mattress. For a moment they suspected that an attempt had been made to take him back to Baltimore and enlarged their search to the bushes around the jail. By now out of patience, the men were about to search the sheriff's living quarters when someone pointed out Cooper's cell, Number 10, on the second floor.

The *Sun* reporter noted a ten-minute delay before the mob brought him out of his cell and down the stairs (suggesting that the reporter had followed the crowd into the jail but not up to the second floor). Another reporter took up the story. The men had used crowbars to open the cell. The condemned man at first denied he was Cooper.

Three or four men put a rope around Cooper's neck, tied his hands behind his back, and brought him down the stairs and out of the jail where several individuals identified him. With most of the crowd out of the building, Knight fought a lone man who tried to restrain him. His daughter watched excitedly and shouted, "Throw him over and break his neck, Pa!" The sheriff finally freed himself and followed the crowd out into the yard, but he was too late. He later said that after the scuffle in the jail he found two hats in Cooper's cell and saw two masked men in the crowd who were not wearing hats. Knight "asked them to go into the jail and get the hats, but they laughed and moved off."⁴¹

Cooper asked, "Well what are you going to do?" and from that moment did not show any sign of fear. Under the tree, when someone seemed doubtful that they had the right man, he assured them, "This is Cooper and no mistake." Forty men grasped the rope and hurried to the nearest tree, a large sycamore. "You are not going to take me up there and let me drop, are you?" Cooper asked. No one replied. They threw the rope over a low limb about nine feet from the ground, and the prisoner said "Well, you have got Cooper haven't you? Good-bye." With that, the long line of men pulled on the rope, lifting Cooper off the ground until his head touched the bough of the tree. The branch of the sycamore bent under his weight, and his feet dangled within inches of the ground beneath, whereby they tied the rope to the bottom of the tree. Howard Cooper's neck did not snap—he died by slow asphyxiation. The captain ordered that the body not be brutalized but later that night someone fired a pistol shot.⁴²

One of the lynchers told his story to the *Baltimore County Union*. "The men were mostly substantial farmers, and all of them good citizens. There was not a rough character among us. Every man was actuated by the thought that in avenging Miss Gray he was protecting his own wife, sweetheart or children. We were very particular not to begin work before midnight, so as to avoid doing the lynching on Sunday."⁴³

The Aftermath

Some of the lynchers remained on the scene until about three that morning, until a small group of men with a lantern arrived. By eight o'clock a crowd of men, women, and children had gathered. Several of the more "refined ladies" took a quick look and hurried off. A small group of blacks stood back, watching the crowd around the body. At 8:16 a Maryland Central Railroad train passed through Towson on schedule. The engineer slowed as he passed the site to afford the passengers a better view.

When Cooper's body was taken down at 9:20, a "well-known gentleman" cut the rope into pieces and distributed them to the crowd as souvenirs. Some called out, "Say, don't forget me." Cooper's body was placed on a board and carried back to the jail. Several colored men were asked to help, but they responded, "Let those who killed him carry him in."⁴⁴

Twelve jurors conducted the inquest and issued their report:

The jury find that Howard Cooper, found dead hanging to a tree outside of the jail yard and near to it, came to his death by strangulation, he having been seized by force by a body of armed men, unknown to the jury, who on the early morning of this July 13, 1885, forced the jail by breaking open the door of said jail and the lock of his cell, taking said prisoner and hanging him as found. We likewise find that Sheriff Knight and Wm Nelson, the night watchman on duty, did all in their power to prevent it, but were overpowered by a large force.

Daniel Gray denied any involvement:

[He] said with flashing eyes that he regretted he was not able to participate in the lynching. The old gentleman shows in his face and figure the great suffering he has been subjected to. His quiet, unaffected grief touched the hearts of his neighbors, and they were willing to make any sacrifice to prove their sympathy. "I am glad justice has been done," he said. "Every right-minded man will say my friends acted wisely. Another trial would have been too much for Katie to bear, and God knows I could not have stood it."⁴⁵

Later that day, Howard Cooper's mother came for her son's body. She had followed the events closely and upon hearing that he had been apprehended, before the court appointed his lawyers, had entered the plea of not guilty on her son's behalf. She had visited him frequently in the city jail and on one occasion had brought a priest. She now told reporters that she had heard the horsemen rush by on their way to Towson and had waited silently until they returned. She knew that her son was dead. At the jail she cried, "Sorry the men didn't wait until the law was done with the case." She placed her son's body in a spring wagon and brought it to Bare Hills Cemetery, where it rests in an unmarked grave.⁴⁶

The Reaction of the Press

The newspapers ran numerous articles on Cooper's lynching. Most of them justified the lynching, arguing that a higher, natural law required men to protect their women. Legal appeals and a possible second trial, they argued, would only have delayed inevitable justice and subjected Katie Gray to further humiliation. The *Easton Comet and Advertiser* thought "The protection of mother, daughter or sweetheart . . . often overrules any other consideration, and the summary execution of Howard Cooper will no doubt have a salutary effect upon the morals of a certain class." The *Westminster Advocate* noted that "since [Townsend] Cook was swung up no further assaults on white women have occurred in Maryland. The fate of Cooper will have a still further influence to protect the women of this State." And the *Caroline Democrat* blamed the "ill-advised action of prominent colored men in trying to bring this case before the United States Supreme Court" for the "excitement" that led to Cooper's death.⁴⁷

Other papers were more judicious in their comments. The *Maryland Journal*, with no sense of irony, criticized other newspapers for having "lashed the community to a frenzy of fury in horror by their recital of the beastly crime." The *Calvert (Prince Frederick) Journal* alone argued that "The strictest search should be made to find the lynchers and put a stop to these uncivilized procedures."⁴⁸

The *Maryland Journal* reported the reaction of some members of the black community. They all agreed that Cooper was guilty of the crime and did not dispute the

death sentence but adamantly defended his right to the protections of due process under the hard-won Fourteenth Amendment. The Reverend P. G. Walker, pastor of Metropolitan Colored Methodist Episcopal Church, who, according to the paper, had "a very venerable appearance," said:

the country is coming to a terrible pass with so many of these cases in which men take the law into their own hands and inflict the irrevocable death sentence hurriedly and in hot blood. What occasion is there for such things in a country of law like this? Men who want the protection of law should let the law take its due course.

And Reverend Robert Steele of Centennial Church had

[no] desire to aid Cooper to escape from what he deserved. . . . Acts like that of Cooper's are never perpetrated by the better class of colored people. Some colored brutes commit such outrages against the virtue of white females, just as white men did the same years ago in the South upon the chastity of colored women. The difference is that the whites will not tolerate such outrages and take the law in their own hands, while colored men were and are powerless to even expect a fair verdict against the ravishers of their women. . . . I have no regret to express at the death of the unfortunate Cooper other than that the law should have been permitted to take its course.⁴⁹

Reverend J. N. Gilmore at St. James African Methodist Episcopal Church in Baltimore wrote passionately on the subject: "Why Howard Cooper was Lynched." He suggested that some of the lynchers may have been related to the white man who a few years previously had "sprung from the bushes one night and committed an outrage on the sweet and innocent life of Cooper's mother. That was all right. Her skin was of a dusky color." He argued, as well, that "In the counties it frequently happens that men have grudges against each other and when a case like this arises they say 'Here's a chance to get rid of that nigger.'" Gilmore argued that it frequently happens that "a colored man's neck was broken for a deed for which a white man would go free."⁵⁰

Reverend Harvey Johnson

Although many black leaders commented on Cooper's lynching, giving statements to the press, delivering sermons, and making speeches, the leading figure in an effort to transform widespread sentiment against Cooper's lynching into concrete action was Harvey Johnson of the Bethel A.M.E. church.⁵¹ Born a slave in Fauquier County, Virginia, in 1843, Johnson had attended Wayland Theological Seminary in Washington, D.C., a school Baptists had established to train freedmen. In 1872 he had moved to Baltimore and become pastor of the Union Baptist Church. Within two

years the congregation doubled to more than five hundred and grew to two thousand through the following decade. Johnson actively participated in the Maryland Baptist State Conventions and rose to become vice president of the mostly white Baptist Ministers' Conference. In 1888, the Richmond Theological Seminary awarded him a Doctor of Divinity degree.

Throughout his career, Reverend Johnson founded or co-founded a succession of organizations advocating equal rights for African Americans: in 1880 the Colored Equal Rights League, in 1885 the Order of Regulators, the Mutual United Brotherhood of Liberty (MUBL), and the Progressive Association, and in 1887 the Maryland Progressive Assembly. The year 1885 proved exceptionally busy. In May four members of Johnson's congregation were prohibited from entering the first-class section of the steamship *Sue*, a ferry that ran between Baltimore and Norfolk, despite having purchased first-class tickets. Johnson hired a white lawyer who successfully sued the company, and the court awarded each of his congregants one hundred dollars.⁵²

The Mutual United Brotherhood of Liberty of the United States of America, more commonly known as the Brotherhood of Liberty, which Johnson had helped form in June 1885, was an association of local black Baptist ministers who were distressed by the erosion of black rights following the end of Reconstruction and committed to using "all legal means within our power to procure and maintain our rights as citizens of our common country." The Brotherhood challenged Jim Crow laws and lynching, advocated repeal of the bastardy laws that prevented black women from suing fathers for child support, and called for integrated trade unions, equal schools, the employment of black teachers, and aid and legal counsel to those challenging discrimination. Pursuing this agenda, Harvey Johnson traveled to Washington, D.C., to enlist Everett Waring at Howard University School of Law to come to Baltimore, the first African American to be admitted to the bar in Maryland.⁵³

Johnson seems to have been the leader in the effort to obtain an appeal for Howard Cooper. The president and the treasurer of the Progressive Association, both of whom worked as waiters, organized to raise money for Cooper's appeal. Other ministers were listed as backers, but Johnson was specifically mentioned as the principle source of funds for the appeal. The day after Cooper's lynching, Johnson and fifty others gathered at the Hagerstown Bethel AME church, where the service commenced with singing and prayer and concluded with a resolution condemning the lynching.^{54 55}

That autumn the United Mutual Brotherhood of Liberty held its first formal meeting, a three-day conference to discuss black civil rights. A large crowd, including Frederick Douglass and Henry Highland Garnett, attended. Douglass gave the keynote speech on the subject of "The Self-Made Man." The discussion on the first day of the meeting included "How to combat the increased number of lynchings . . . in Maryland." Johnson's activism in 1885 escalated in the following years. In 1898, unhappy with the position of blacks within the Maryland Baptist Union Association,

Johnson led the movement for blacks to separate from the MBUA and organized the separate Colored Baptist Convention of Maryland.⁵⁶

The peak of his political activism came in 1905 when he supported W. E. B. Dubois and the fledgling Niagara Movement, which ultimately morphed into the National Association for the Advancement of Colored People. In 1907 he was listed as a member of the ethics committee of the Niagara Movement. Some people have argued that Johnson's Brotherhood of Liberty was the model for the Niagara Movement. In 1912, Johnson helped establish the second national branch of the NAACP in Baltimore, Maryland.⁵⁷

Johnson's activism continued over the years, as he became increasingly critical of the Republican Party, the sole defender of black rights in America immediately following the Civil War. Increasingly, he turned to the principles of self-determination and black separatism. By 1910, skeptical that legal means could put an end to black second-class citizenship, he led "the Texas Purchase movement" to purchase the state of Texas from the federal government, remove the whites, and establish a separate black state.⁵⁸

In the end, Howard Cooper's death at the hands of a white mob added one more atrocity to the lengthening list of crimes committed against black Americans in the closing years of the nineteenth century. In 1885, as activists such as Harvey Johnson railed against lynching, the number of victims rose to seventy-four nationwide, an increase of 50 percent from the previous year, and those were the "known" cases. Organized resistance to lynching, Jim Crow laws, and racial injustice began to coalesce in the following decades. In the wake of the Supreme Court decision in *Plessy v. Ferguson* (1896), nascent groups such as the NAACP methodically and effectively began working toward change through the legal system. The tragedy of Howard Cooper became one among thousands that ultimately contributed to the civil rights movement.

NOTES

1. For a description of Rockland Village Historic District see the Maryland Historical Trust, Historic Sites Survey, BA221 at www.mdihp.net, and Dawn F. Thomas, *The Green Spring Valley: Its History and Heritage*, vol. 1, *A History of Historic Houses* (Baltimore: Maryland Historical Society, 1978); for the railroad near Rockland see Martin K. Van Horn and Robert L. Williams, *Green Spring Accommodation: 130 Years of Railway History in the Green Spring Valley, Baltimore County, Maryland, 1832-1962* (Polo, Ill.: Transportation Trails, 1996).
2. For race relations in Baltimore and Maryland before the Civil War see T. Stephen Whitman, *Challenging Slavery in the Chesapeake: Black and White Resistance to Human Bondage, 1775-1865* (Baltimore: Maryland Historical Society, 2007); T. Stephen Whitman, *The Price of Freedom: Slavery and Manumission in Baltimore and Early National Maryland* (New York: Routledge, 2000); Christopher Phillips, *Freedom's Port: The African American Community of Baltimore, 1790-1860* (Urbana and Chicago: University of Illinois Press, 1997); Barbara

Jeanne Fields, *Slavery and Freedom on the Middle Ground: Maryland During the Nineteenth Century* (New Haven: Yale University Press, 1985); Seth Rockman, *Scraping By: Wage Labor, Slavery, and Survival in Early Baltimore* (Baltimore: Johns Hopkins University Press, 2009). For the postwar period see Richard Paul Fuke, "Race and Public Policy in Post-Emancipation Baltimore," in Jessica Elfenbein, et al., eds., *From Mobtown to Charm City: New Perspectives on Baltimore's Past* (Baltimore: Maryland Historical Society, 2002), and Fields, *Slavery and Freedom on the Middle Ground*, esp. p. 170; Neal A. Brooks and Eric G. Rockel, *A History of Baltimore County* (Towson, Md.: Friends of Towson Library, 1979), 259–63; Robert J. Brugger, *Maryland, A Middle Temperament, 1634–1980* (Baltimore: The Johns Hopkins University Press, 1988), 308–10. For historical studies on lynching see Philip Dray, *At the Hands of Persons Unknown: The Lynching of Black America* (New York: Modern Library, 2003); Fitzhugh Brundage, ed., *Lynching in the New South: Georgia and Virginia, 1880–1930* (Chicago: University of Illinois Press, 1993); and Fitzhugh Brundage *Under Sentence of Death: Lynching in the South* (Chapel Hill: University of North Carolina Press, 1997). There has been a great outpouring of work describing race, class, and gender as interdependent components of a system of (unequal) power relations. See for example, Gilda Lerner, "Rethinking the Paradigm," *Why History Matters: Life and Thought* (New York: Oxford University Press, 1997), 146–98; Karen Brodtkin Sacks, "Toward a Unified Theory of Class, Race, and Gender," *Feminist Anthropology*, (1989) 16: 534–50; Delores Janiewski, "Southern Honor, Southern Dishonor: Managerial Ideology and the Construction of Gender, Race, and Class Relations in Southern Industry," in Ava Baron, ed., *Work Engendered: Towards a New History of American Labor* (Ithaca: Cornell University Press, 1991); and Joanne Meyerowitz, "How Common Culture Shapes the Separate Lives: Sexuality, Race, and Mid-Twentieth Century Social Constructionist Thought," *Journal of American History*, 97 (2010): 1057–84. More specifically pertinent to this study see Elise Lemire, *"Miscegenation": Making Race in America* (Philadelphia: University of Pennsylvania Press, 2002); Martha Hodes, *White Women, Black Men: Illicit Sex in the Nineteenth-Century South* (New Haven: Yale University Press, 1999); Peggy Pascoe, *What Comes Naturally: Miscegenation Law and the Making of Race in America* (New York: Oxford University Press, 2010); Suzanne Lebsock, *A Murder in Virginia: Southern Justice on Trial* (New York: W. W. Norton, 2005).

3. *Baltimore Sun*, May 21, 1885; *Maryland Journal*, June 18, 1885; *Baltimore American*, April 8, 1885. The account that follows is derived from contemporary newspapers, the *Baltimore Sun*, the *Baltimore American*, the *Baltimore County Union*, and the *Maryland Journal*. The accounts do not always agree, often giving different spellings for individuals' names and elaborating on details. In cases of disparities, I have chosen what seems the most likely version. In addition, the newspapers perhaps gave erroneous information to protect the identities, actions, or motives of some of the participants.

4. "Miss Gray then, in a clear firm voice, but with apparent effort at composure, related the details of three assaults upon her by the prisoner. She resisted him successfully twice, and when nearly exhausted at the third attack two dogs from her home came up and Cooper ran away. She was in his power in the woods about two hours." Report of the trial from the *Baltimore Sun*, May 21, 1885.

5. *Baltimore Sun*, July 13, 1885; *Baltimore County Union*, July 18, 1885.

6. *Baltimore Sun*, May 21, 1885.

7. This barn may still exist—converted into a residence at 8207 White Manor Drive, Lutherville. See Maryland Historical Trust Inventory of Historical Properties; BA-223 at www.mdihp.net.

8. *Baltimore Sun*, April 7, 1885.

9. The three-story stone building, built in 1854, still stands at the corner of Towsontown Boulevard and Bosley Avenue.
10. A depression in the ground west of the jail, visible today, may have been the hiding place for the five men.
11. *Baltimore American*, April 8, 1885.
12. *Baltimore County Union*, April 11, 1885.
13. *Ibid.*, April 11, 1885.
14. *Baltimore American*, April 8, 1885.
15. *Ibid.*; *Baltimore County Union*, April 18, 1885.
16. *Baltimore Sun*, July 7, 1885.
17. *Ibid.*, May 21, 1885.
18. *Ibid.*; *Baltimore County Union*, May 23, 1885.
19. *Baltimore County Union*, May 23, 1885.
20. *Baltimore Sun*, May 21, 1885.
21. *Ibid.*
22. *Baltimore County Union*, May 23, 1885.
23. *Baltimore Sun*, May 21, 1885.
24. *Baltimore County Union*, May 23, 1885; *Baltimore Sun*, May 21, 1885
25. *Maryland Journal*, July 4, 1885.
26. *Baltimore County Union*, June 27 and July 18, 1885; *Maryland Journal*, July 11, 1885.
27. *Baltimore County Union*, May 30, 1885; *Baltimore Evening News*, May 22, 1885.
28. *Baltimore County Union*, June 6, 1885.
29. *Ibid.*
30. *Baltimore Sun*, June 2, 1885; *Baltimore News American*, June 3, 1885.
31. *Baltimore News American*, June 3, 1885.
32. *Baltimore County Union*, June 20, 1885.
33. *Baltimore Sun*, July 11, 1885.
34. "The Story of a Lyncher," *Baltimore Sun*, July 14, 1885.
35. *Baltimore Sun*, July 13, 1885.
36. *Ibid.*; *Baltimore County Union*, July 18, 1885.
37. *Ibid.* This building is a handsome Greek revival structure built in 1855. It still stands in the center of Towson, serving as the county seat of Baltimore County.
38. Knight is "unaware," from the *Baltimore Sun*, July 14, 1885 and *Maryland Journal*, July 18, 1885. Knight is "in the jail," *Baltimore Sun*, July 13, 1885.
39. *Baltimore Sun*, July 13 and 14, 1885.
40. *Ibid.*, July 14, 1885.
41. *Ibid.*
42. *Baltimore County Union*, July 18, 1885; *Baltimore Sun*, July 13, 1885. According to another reporter, Cooper said, "Goodbye, gentlemen." See *Baltimore Sun*, July 14, 1885.
43. *Baltimore County Union*, July 18, 1885.
44. *Baltimore Sun*, July 14, 1885.
45. *Baltimore County Union*, July 18, 1885. Daniel C. Gray is listed in the Tenth District of the 1870 federal census (which includes Rockland), and the 1880 census as fifty-five, born in Pennsylvania, living in the Third District (which includes Rockland in the redrawn district). He does not appear on the 1890 census.
46. *Baltimore Sun*, July 14, 1885. She worked for Thompson Burns, located between Towson and Sherwood station.

47. Comments from the *Easton Comet and Advertiser*, the *Westminster Advocate*, and the *Caroline Democrat* all reprinted in the *Maryland Journal*, July 25, 1885.
48. *Calvert Journal* reprinted in the *Maryland Journal*, July 25, 1885.
49. *Baltimore Sun*, July 14, 1885.
50. *Maryland Journal*, July 25, 1885.
51. I thank Reverend Alvin C. Hathaway of the Union Baptist Church in Baltimore for discussing Reverend Harvey Johnson's life and influence and for directing me to many sources. See: Margaret Law Callcott, *The Negro in Maryland Politics, 1870-1912* (Baltimore: The Johns Hopkins Press, 1969); Leroy Fitts, *A History of Black Baptists* (Nashville: Broadman Press, 1985); Alvin Carl Hathaway Sr., *Servant Church: Preaching and Teaching Servant Church Theology to African American Leaders in Union Baptist Church of Baltimore* (Virginia: School of Leadership Studies, Regent University, August 2006); W. Asbie Hawkins, *Harvey Johnson's Contribution to the Life of Baltimore: An address delivered at the Celebration of the Fiftieth Anniversary of His Pastorate of Union Baptist Church, November, 1922* (Baltimore); A. Briscoe Koger, *Dr. Harvey Johnson: Minister and Pioneer Civic Leader* (Baltimore, 1957); *From Frederick to Thurgood, Black Baltimore in Transition, 1870-1920*, Maryland State Archives, <http://www.msa.md.gov>, accessed September 25, 2010; Marion Scott Douglas, "Harvey Johnson and the Brotherhood of Liberty" (master's thesis, Morgan State University, 1995); *African American National Biography*, H. L. Gates and E. B. Higginbotham eds., Vol. 4 (New York: Oxford University Press, 2008), 576-77; and Barbara Mills, *Got My Mind Set on Freedom: Maryland's Story of Black and White Activism, 1663-2000* (Bowie, Md.: Heritage Books, Inc., 2003). Johnson's only book is a collection of his sermons, *The Nations from a New Point of View* (Nashville: National Baptist Publishing Board, 1903).
52. *Baltimore Sun*, May 27, 1885, probably mistakenly, reported that it was Johnson and fellow Baptist minister P. H. A. Braxton who were not allowed in the white section of the ferry. In 1904 the Maryland General Assembly passed a law overturning the decision, making segregation in transportation legal.
53. *Frederick to Thurgood*, accessed September 25, 2010.
54. *Baltimore Sun*, July 14, 1885.
55. *Maryland Journal*, July 18, 1885.
56. Douglas, "Johnson and the Brotherhood of Liberty."
57. Mills, *Got My Mind Set*, 44-45, 84-85; *African American National Biography*, 4:576-77.
58. *Frederick to Thurgood*; *Handbook of Texas Online*, <http://www.tshaonline.org>. After guiding his congregation at the Union Baptist church in Baltimore for fifty years, Johnson died in 1923.

The Study of Slavery at the Johns Hopkins University, 1889–1914

JOHN DAVID SMITH

Historians generally credit Herbert Baxter Adams (1850–1901) and his famous seminar at the Johns Hopkins University with introducing a rigorous professional “scientific” historical method to late nineteenth-century America. Modeling his historical seminar after the Heidelberg University seminar he had attended in the years 1874–1876, by the early 1880s Adams assumed leadership of the Friday evening gathering of professors, graduate students, administrators, and sometimes distinguished visiting scholars. After his general introductory remarks, one or two speakers shared with the seminar the fruits of their ongoing research. Before the end of the evening, graduate students presented oral critiques of current books and articles and one kept detailed records of each week’s proceedings. So began Adams’s landmark seminar—what historian James Schouler termed the first “systematic training of critical historians” in America.¹

Adams, an early academic supporter of the Maryland Historical Society, played a central role in arranging to have the society publish the state’s key colonial and Revolutionary records. According to historian John Higham, through Adams’s entrepreneurship “the academic community at Hopkins gained immediate access to a magnificent corpus of sources for Maryland history.” Adams also was a leading figure in the creation of the American Historical Association in 1884 and thereby in establishing the standards upon which the modern American historical profession rested. In 1922, James A. Woodburn, a former Adams student, declared that “no man in America . . . was more instrumental in promoting historical study and the effective organization of historical knowledge” than Adams. Woodburn continued: “In force of knowledge and in his ability to see the possible achievements ahead . . . [Adams’s] powers came near to those of a genius. His best work was not in writing history, but in training others to write it, and I doubt if any man’s influence went beyond his in creating in America a new school of historical research. He was a great teacher, a great director, a great organizer.” In the period 1873–1915, Johns Hopkins granted more doctoral degrees in history than any other university in America. In these years Hopkins awarded 103 history doctorates, whereas Columbia University granted ninety-six, Harvard University sixty-nine, and Yale University sixty. Such

John David Smith is the Charles H. Stone Distinguished Professor of American History at the University of North Carolina at Charlotte.



Herbert Baxter Adams (1850–1901), first professor of history at the Johns Hopkins University. (Maryland Historical Society.)

influential American historians as John Franklin Jameson, Frederick Jackson Turner, and Charles McLean Andrews took their degrees at the Hopkins.²

After completing his training at Heidelberg, Adams imported German “scientific” history to Johns Hopkins in 1876, the year of the university’s founding, and seven years later detailed his teaching philosophy. “The main principle of historical training at the Johns Hopkins University,” he explained, “is to encourage independent thought and research.” Deemphasizing the reading of textbooks, Adams instead encouraged

his students to articulate "clear and original statements of fact and opinion, whether the student's own or the opinion of a consulted author." Armed with an abstract, not a formal essay, students reported orally on individual assignments with an eye toward capturing the substance of arguments rather than form of exposition. Adams's pedagogical goal was to teach students "to personify historical science in the individual who is speaking upon a given topic. A book or an essay, however asymmetrical it may be, is often only a fossil, a lifeless thing; but a student or teacher talking from a clear head is a fountain of living science. A class of bright minds quickly discern the difference between a phrase-maker and a man of ideas."³

Like many leading American educators of his day, Adams employed the term "science" loosely, ambiguously referring to systematic, specialized research based on specific evidence as "scientific." Adams defined "scientific" history as valuable both in the abstract ("pure" scholarship "for its own sake") and for its altruistic application to civic problems and utilized the method as a metaphor to such a degree that in 1887 he remarked that the meetings of his seminar were "laboratories where books are treated like mineralogical specimens, passed about from hand to hand, examined and tested." As historian Marvin E. Gettleman suggests, to a certain degree Adams's Darwinian era-inspired "vitalistic and biological vocabulary . . . was crucial as a legitimizing mechanism." By 1881, Adams began assembling a special library for the study of American institutional history, a concept he borrowed from German universities that establish "*seminarium* libraries distinct from the main university library, although often in the same building." Hopkins soon thereafter acquired the 3,000-volume library of the Swiss jurist and Heidelberg law professor Johann Kaspar Bluntschli. Armed with primary, nonpartisan sources as evidence, "scientific" historians sought to eschew value judgments and then disseminated their findings through *The Johns Hopkins University Studies in Historical and Political Science*, the journal Adams established in 1883.⁴

Influenced strongly by German scientific realism and evolutionary thought, Adams launched a campaign at Johns Hopkins to promote historical research deeply grounded in "objective" historical research in original sources. In doing so he built atop German historian Leopold von Ranke's scientific ideal of objectivity, impartial truth, the seminar method of training historians, field research in archives, and a reliance on written texts. This approach added depth and rigor to contemporary historical writing and departed from history as a millennial nationalist endeavor and literary art. Whereas previous romantic historians believed that thorough research justified moral judgments, the new university-trained historians sought to exhaust the sources, frame a rigidly accurate narrative, document the story impeccably, and draw careful conclusions untainted by prejudice.⁵

Many of the early history dissertations and monographs completed at Hopkins were narrow, dry-as-dust studies of local institutions in early America, especially New England towns (which Adams considered a primordial form), and the discovery of

Teutonic germs in the American experience. In promoting the Teutonic-germ theory, Adams celebrated what he and other historians identified as the Anglo-Saxons' long history of self-rule—and the origins of modern democracy—on both sides of the Atlantic. As John Higham explains, Adams and others used the Teutonist thesis to argue that American democracy derived not from revolution but from “the distinctive ethnic heritage of a people who had earned self-government by running their own affairs and defending local liberties against centralized power.” In the *Johns Hopkins University Studies (JHUS)* Adams published essays, including some of his own, that contrasted Anglo-Saxon economic, legal, and political institutions in the United States with Britain and ancient Germany. He informed his students that focusing on the evolution of local institutions served as the best medium to promote historical understanding. “The most natural entrance to a knowledge of the history of the world,” he said in 1883, “is from a local environment through widening circles of interest, until, from the rising ground of the present, the broad horizon of the past comes clearly into view.” That said, Adams nonetheless possessed an uncommonly broad conception of history as a social science. He interpreted history not as the “record of dead facts” but “as a living science.”⁶

Adams found the Teutonic-germ theory intellectually appealing because it supported his belief in historical similarities, in the essential continuity of past and present, and intellectual and ideological connections between Europe and America. According to historian Dorothy Ross, the Aryan germ theory appealed to intellectuals of Adams's generation because it undergirded their belief in philosophic and political unity over time. “In the improvement of the existing order,” Adams wrote in 1895, “what the world needs is a historical enlightenment and political and social progress along existing institutional lines. We must preserve the continuity of our past life in the State, which will doubtless grow like knowledge from more to more.” Ross notes that such political logic lay behind Gilded Age “scientific” historians' determination to draw “principles” from history. “In this time of change,” she writes, “American republican institutions must be preserved and progress charted along the path of the past.”⁷

After 1887, Adams increasingly encouraged his students to undertake research projects that went beyond narrow local history, especially state and national studies. According to Marvin E. Gettleman, the closest student of the Johns Hopkins seminar, Adams encouraged students to examine a wide array of subjects, including reform, business, law, and local administration. Focusing on identifying institutions provided “a creative and far-reaching intellectual synthesis,” one that united “diverse intellectual and political strands: imperial expansion, racism, ‘scientific philanthropy,’ reformist economics, and a variety of other research initiatives in American social history.”⁸

Adams especially welcomed inductive, interdisciplinary dissertation projects that integrated specialized research and civic concern. In Gettleman's estimate, Adams

considered reform an essential focus of university life and worked to make Hopkins a "major epicenter of the new progressive vision." Members of his seminar bridged the ideological gap between the Mugwumps of the 1884 presidential election and the turn-of-the-century Progressives. In doing so, Gettleman argues, Adams and his students prefigured the "new history" of the Progressive era and the "new social history" of the later twentieth century.⁹

In her revisionist analysis of the "scientific" history of Adams's day, historian Deborah L. Haines complicates its definition and meaning. Graduate seminars of the day focused less on "complete objectivity" and more on the careful employment of historical materials. Graduate professors underscored "a certain skepticism toward authority, a desire for accuracy and precision, an ability to collect and evaluate historical evidence, and a facility in constructing and criticizing historical arguments." The young historians at Hopkins and at other pioneer graduate schools were not "cautious, austere, and unimagined," she insists, "absorbed in the study of institutions to the exclusion of human character and personality." Rather, Haines writes, "They were passionate men, deeply concerned about the future of democratic society, deeply committed to communicating and shaping human character and morality, and warmly attached to the literary tradition in history even as they criticized its inadequacies and inaccuracies. They scattered students like missionaries across the country to spread the gospel of historical inquiry not out of scientific fervor alone, but out of commitment to a vision of the role historical study might play in human affairs."¹⁰

For example, in May 1894 one of Adams's disciples, Franklin L. Riley, who held the first professorship in history at the University of Mississippi, reported to his mentor on his research in the Magnolia State. "I will fish for institutions down here, with a long line, and will exercise all the patience possible. If there are any institutional fish in these historical waters, I hope to have them on my string when I return to the Hopkins next fall. I fear, however, they will be minnows." Riley added, "I very often think of the Hopkins and especially of the Historical department, which is to me, by far, the most attractive feature of that great institution. . . . I miss the inspiration which results from daily contact with the Professors and the men in the Historical department, and especially from the Seminary meetings." Riley completed his dissertation, "Colonial Origins of New England Senates," in 1896 and it appeared in the *JHUS*.¹¹

The Study of Slavery

One subject, African American slavery, came to dominate the research of Adams's doctoral students. His approach to history, tracing the evolution of legal institutions such as slavery, smoothed their path. Slavery as a subject appealed to them because of its linear, institutional character, having evolved as an economic, constitutional, legal, political, and social system from the seventeenth to the nineteenth centuries. It also no doubt attracted them because no subject more so than slavery would test

their determination to remove partisanship from the writing of history. Accordingly, Adams implored his students to cleanse their writings of identification with any sect, section, or political philosophy. Trained in the new "scientific" method of their day, the Hopkins students were to avoid the sectional partisanship, the blatant chauvinism exhibited by both sides in the antebellum slavery debate. They sought to produce detached, unemotional studies of a subject that had torn the nation apart and whose legacy resulted in decades of racial and sectional discord. By tracing black slavery's generic origins on the colonial and state levels, Adams's students contributed important monographs and gained for their institution a reputation as the Progressive Era's leading research center on slavery. In the process, they significantly advanced the level of slavery studies and foreshadowed much important scholarship.

Adams realized that the availability of primary materials on slavery held the key to the success or failure of his students' new "scientific" research. Practitioners of "scientific" history believed that the records of the past should speak largely for themselves. Respecting the integrity of documents, they insisted, would guarantee impartial, unbiased history. They failed to consider the natural bias that investigators bring to every historical problem. Furthermore, they ignored the methodological dilemmas involved with sorting and marshaling evidence selectively. Nonetheless, armed with a faith in historical objectivity, graduate students at Johns Hopkins canvassed the South in search of the records of slavery—especially statutes, pamphlets, plantation records, newspapers, and diaries. These sources became the analytical tools, the test tubes, of the "scientific" historians of slavery.

The efforts of the historians at Johns Hopkins to collect records on slavery underscored the serious methodological problems that awaited late-nineteenth-century historians. Primary sources on slavery were so widely scattered at this time that major difficulties awaited even the most disciplined "scientific" scholar. To remedy this Adams and his colleagues worked hard to acquire slavery-related materials at Johns Hopkins. In 1891, for example, the school acquired the Birney and Scharf Collections. The former accession contained over one thousand books and pamphlets on the "peculiar institution" gathered by the slaveholder-turned-abolitionist James G. Birney, including Jesse Torrey's rare *Portraiture of Domestic Slavery* (1817). At the time many considered the Birney Collection the largest and most complete extant source collection on slavery. Soon afterwards, Colonel J. Thomas Scharf of Baltimore donated an immense collection of manuscripts, newspapers, and pamphlets to Johns Hopkins. These materials immediately established the school's strong library holdings in southern history, "thus doing for the South what Harvard and Yale have done for the New England States." Such acquisitions enabled Johns Hopkins's librarian to report in 1892 that the university held about three thousand volumes on the South—"a collection of much importance, especially in the subject of slavery."¹²

Equipped with the necessary research tools, Adams attracted a surprisingly large number of graduate students to Baltimore to study African American slavery.

There came together a group of men destined to emerge as important scholars, including Jeffrey R. Brackett (1860–1949), John Spencer Bassett (1867–1928), James C. Ballagh (1866–1944), John H. Russell (1884–1948), and Harrison A. Trexler (b. 1883). Frequent guest lecturers supplemented their training, largely in seminars. In 1895, for example, historian Frederic Bancroft, an early student of the domestic slave trade, presented a series of lectures on slavery, including “Slavery in Maryland,” “What Became of the Northern Slave?” “The Last Fugitive Slave,” and “The Negro in Politics.” After completing his doctorate at Hopkins in 1894, Bassett, who wrote his dissertation on “The Constitutional Beginnings of North Carolina,” returned to his alma mater as a visiting lecturer on slavery. His notes offer a glimpse of the breadth of his presentation:

I expect to begin with the decay of slavery in the later Roman empire and deduce the lessons for us who by a process somewhat different . . . have still to decide how we shall develop a servile population into a state of reliable freedom. I desire to find out what there is in the negro, what he has done, and what he can and will do. I do not see how the most blinded “Bourbon” can object to such a treatment, and if he will but follow it through I think his eyes ought to be opened somewhat.

A later lecturer, George Petrie of Alabama Polytechnic Institute at Auburn, shared with the Johns Hopkins students the fruits of his research on slavery in Alabama. Petrie had completed his dissertation, “Church and State in Early Maryland,” at Johns Hopkins in 1891. In 1907, Petrie developed a questionnaire and conducted a survey of slavery in Alabama. He envisioned writing a history of slavery in that state.¹³

Slavery came to dominate the discussions in Adams’s weekly graduate seminars. In 1883 Hermann Eduard von Holst, the famed German scholar and author of the five-volume *Constitutional and Political History of the United States* (1876–1892), addressed the seminar on “The Study of Slavery as an Institution.” Holst urged the students to examine slavery in its broadest context—as a historic, economic, and social factor in southern life. He pointed out that no one had yet attempted to prepare a suitable “scientific treatise” on slavery. While numerous writers had examined slavery’s political history, slavery as a “historic institution” remained unexamined. Holst believed that the men at Johns Hopkins were positioned to undertake such an examination:

Students from the South trained to a knowledge of scientific methods, should take up the history of slavery—the peculiar institution. Study the slaveholders as such, study their position, occupations, modes of life, their intercourse with the outside world. . . . Such inquiries would show to some extent the character of southern civilization. No individual can complete this great task. It will be a work for the coming century.

Inspired, no doubt, by Holst's encouragement, students in Adams's seminar energetically began investigations of black slavery. To a large degree their seminar papers, and later their dissertations and monographs, focused on slavery in the North and the South as well as in the District of Columbia.¹⁴

In 1885 one of Adams's graduate students, Jeffrey R. Brackett, presented his initial findings on the institutional history of slavery in Maryland at the annual meeting of the American Historical Association. This was the first paper on the "peculiar institution" delivered before that organization. According to historian August Meier and sociologist Elliott Rudwick, Brackett "produced the most numerous and most valuable publications on the black past that appeared in the Hopkins series." Brackett's "Report on Certain Studies in the Institution of African Slavery in the United States" implored students of slavery to abandon polemics in favor of institutional, especially legal, investigations. He urged scholars to examine slavery in microcosm by using court records, legislative journals, newspapers, and "testimony of reliable whites and blacks."¹⁵

Brackett also prepared seminar papers—in 1885, 1887, and 1888—on the Annapolis slaveholders' convention of 1841, on the introduction of slavery in Georgia, and on patterns of slave crime and punishment, respectively. According to the graduate student, when considering slavery, economic factors always trumped humanitarian considerations. For example, Brackett explained that in James E. Oglethorpe's colony, Georgians forbade slavery until direct competition with the cheap labor of South Carolina slaves forced them, like other southern colonists, to employ bondsmen. Brackett's essay on the legal side of slavery later became a chapter in his important dissertation on slavery in Maryland.¹⁶

Brackett and his fellow graduate students at Johns Hopkins ranked among the first historians to conduct field research on slavery throughout the South. They tended to restrict their investigations to a single colony or state. One student, Shirley C. Hughson, wrote Adams from South Carolina in 1893, informing him that he was "hard at work on the negro." Hughson, who was researching the slave trade in South Carolina, reported to his mentor that he was finding a wealth of "wholly new material" in Charleston's "confused and uncatalogued libraries." He hoped to unearth other previously untapped records at the state capital in Columbia. Another student, James C. Ballagh, scoured the libraries of Virginia for materials for his pioneer research on slavery in that colony and state. After receiving his doctorate in 1895, he joined Adams on the history faculty and lectured to the graduate students on slavery, especially "its broad institutional character." Ballagh carefully examined the interrelation of slave law and the social effects of slavery and underscored the importance of grasping both sides of slavery's contradictory nature—its cruel and its benevolent dimensions. Reflecting in 1900 on the research on slavery and southern history conducted at Johns Hopkins, Adams praised it as "nonpartisan" and "objective." He remarked with pride how "Yale and Harvard have followed in its lead."¹⁷

In 1901, the year of Adams's death, Ballagh assumed responsibility for training historians of slavery at Johns Hopkins. For more than a decade he continued to offer advanced work in southern history and, not surprisingly, devoted considerable attention to the subject. In his course "History of American Slavery," Ballagh required the students to compare the institutional development of bondage in North America with forms of servitude in ancient, medieval, and modern Europe. This method—what twenty-first-century scholars later would label "comparative slavery"—was not totally unfamiliar to historians of Ballagh's day. His graduate students tackled various other aspects of slavery as well. In 1898, for example, William S. Drewry prepared a seminar paper on slave resistance in Virginia. It served as the core of his 1900 doctoral dissertation, "Slave Insurrections in Virginia (1830–1865)." Most of the Johns Hopkins students, however, examined the legal status of slaves and free blacks and slavery in the various colonies and states. Typical projects included Douglas Southall Freeman's paper on free blacks in Georgia, F. G. Holmes's investigation of slavery in South Carolina, and William T. Laprade's work on bondsmen in the nation's capital. Laprade, who later focused on British history, contributed two of the earliest essays on methodological challenges and opportunities that awaited historians of African American slavery. In 1911 he informed John M. Vincent, an 1890 Hopkins Ph.D., an expert in Swiss history, and a member of the Hopkins faculty, that in his research on slavery "I have not only . . . used methods of collecting material which had not been hitherto generally utilized, but I have also attempted to work out a different and more useful method for use in describing the legal status of slaves." Johns Hopkins offered these students and others an intellectually exciting and dynamic environment within which to study the "peculiar institution."¹⁸

The Johns Hopkins Dissertations

Certainly the *JHUS* served as one attraction for studying history at that institution by providing graduate students and faculty with an outlet for publication of their dissertations and monographs. It published works on a variety of topics—the development of local government, law, taxation, commerce, education—all falling within the broad realm of institutional history. Given Adams's and Ballagh's keen interest in slavery, that subject quickly made its way into the publication. Indeed, from 1889 to 1914 the *JHUS* published fifteen monographs dealing with slavery. Several examined slavery in the North, the antislavery movement, white servitude, and slave laws in individual states. Seven of the volumes dealt specifically with slavery in the South.¹⁹

These dissertations and monographs initiated the minute examination of slavery on the state level. Determined not to judge the "peculiar institution," the young historians hoped to free themselves from partisanship, to uncover slavery's origins, and to explore its institutional evolution over time. By necessity, each of the works on slavery that appeared in the *JHUS* covered some similar material and, on most aspects of slavery, despite differences from state to state, they reached similar conclu-

sions, what Gettleman terms "a kind of cheery agnosticism toward the old regime of plantation bondage."²⁰

The authors, despite their alleged "scientific" detachment, generally supported the benign view of slavery espoused by the proslavery ideologues of the post-Civil War years and that remained current during the Jim Crow era. Most interpreted slavery as patriarchal, emphasizing how the fortunate bondsmen received lessons in civilization from kind masters. Almost uniformly, they characterized the blacks as contented servants, the recipients of adequate food, clothing, and shelter. They credited the slaves with holding certain privileges, including access to religious instruction, garden plots, and the ownership of draft animals. The Johns Hopkins writers agreed that masters bred and sold slaves reluctantly and further insisted that masters only rarely divided slave families for sale. That said, in his *Slavery in the State of North Carolina* (1899), John Spencer Bassett declared, "If I were defending a side in the never ended controversy about the treatment of slaves by their masters, it would only be necessary to point out here that the essence of the misery of slavery in the South and elsewhere was not physical suffering, however frequently or infrequently that may have occurred, but the mental and spiritual wretchedness that follow a loss of liberty."²¹

Jeffrey R. Brackett's dissertation, *The Negro in Maryland: A Study of the Institution of Slavery* (1889), was the first volume on slavery to appear in the JHUS. A Massachusetts native, he graduated from Harvard in 1883. After receiving his doctorate from Johns Hopkins, Brackett lectured on philanthropy and social work and became a national leader in the burgeoning field of social work and welfare, heading Baltimore's Board of Supervisors of Charities, 1900-1904, and chairing the Simmons College School for Social Workers in Boston from 1904 to 1920. In 1904, Brackett served as president of the National Conference of Charities and Corrections and in 1906 joined the Massachusetts State Board of Charities. An outspoken proponent of the application of "science" to history, Brackett interpreted the past as "an orderly process: with lessons for today." In his historical work he strived for an "exact record," stressing accurate observations, just inferences, and contrary opinions. To broaden himself in the ways of the South, while in Baltimore Brackett traveled throughout the rural areas of Maryland and Virginia and, like most white historians of his generation, this "child of New England Puritans" ultimately came to justify slavery and sympathize with the slaveholders.²²

Brackett presented his findings on slavery in *The Negro in Maryland*, in an extended essay on the legal status of slaves published in 1889 and in the monograph *Notes on the Progress of the Colored People of Maryland Since the War* (1890). In these works he focused on slave law, an emphasis that became the trademark of the JHUS. Brackett listed court cases and laws so profusely that his narrative became almost a litany, "act on act, judgment on judgment, report on report." Dedicated to viewing slavery dispassionately, he shunned "the controversial literature of the

abolition school" and instead strived "to put himself . . . in the place of the conscientious Southern planter." Brackett's sources represented the model of impartiality for the 1880s, a variety of state and county records, slave court cases, newspapers, records of the Society of Friends, and the papers of Governor Robert Dinwiddie of Virginia.²³

Such source materials limited Brackett's focus to slavery's legal growth and inclined him to treat blacks as little more than legal entities. In his opinion, Maryland's slave laws evolved *sui generis* under the indirect impetus of English mercantile policy and received little influence from slave jurisprudence of ancient societies or even from the slave system of eighteenth-century Barbados. Different laws for blacks and whites, Brackett said, were uncommon until the eighteenth century, when large numbers of slaves, "brutal, very ignorant and very imitative," entered the colony along with numerous English felons. Separate statutes began to appear, Brackett explained, to curb the habits that the slaves acquired from the dregs of English white society. In the next century economic competition with white Baltimore tradesmen led to a ban on bondsmen hiring themselves out.²⁴

Brackett's essay on the legal status of the slaves contrasted slavery in the colonial North and South. Expanding a theme from his dissertation, he maintained that before 1700 slaves in the colonies of both regions received justice equal to that accorded free whites. Brackett's research suggested that "negroes were punished at first, very much as white servants were." This argument anticipated a theme later developed by James C. Ballagh in his volumes that appeared in the *JHUS*. Much like pre- and postwar proslavery polemical writers, Brackett argued that southern slave codes exhibited a degree of flexibility—"usually the exact nature of the punishment was left to the discretion of the court, with the provision that it be so administered as to deter other slaves from like crimes." He concluded that by 1789 the principles of the American Revolution and the North's decreasing slave population led to moves for abolition in that section. In the South, however, the burgeoning slave population resulted in increased restrictions on the bondsmen and women.²⁵

In his 1890 *Notes on the Progress of the Colored People of Maryland Since the War* Brackett expressed cautious optimism for the future of race relations in the Old Line State. On the one hand, he wrote that "all must frankly recognize that there is a strong feeling of caste on the part of the whites. Whether natural or artificial, or right or wrong, this feeling of caste exists. It cannot be hurried away by legislation. And so long as it exists, the colored people must reasonably consider it, or they will hinder their own advancement." Having said this, Brackett nonetheless assured Jim Crow-era whites that "any idea of social equality should be an idle fear—except to those who think that proximity in a public place creates necessarily some irksome social relations." He also observed a more positive trend that "the number of white citizens who are willing to help the colored people to elevate themselves, especially in matters apart from politics, seems to be slowly growing. This may be much from motives of

prudence, for the welfare of the community, rather than from philanthropy, but the result is the same." Brackett concluded by admonishing African Americans "that if their people in the course of time prove themselves to be unworthy of citizenship and a permanent menace to the welfare of society, that the weaker must give way before the stronger." He remained hopeful, though, "that the better class of blacks will strive to help themselves and the race more and more, and the better class of whites will help them to do so."²⁶

John Spencer Bassett went beyond Brackett's limited, legalistic analysis, contributing two monographs on slavery to the *JHUS*. A native North Carolinian and a graduate of Trinity College in Durham, Bassett became perhaps the best known of all the authors of the Johns Hopkins school of slavery historians. His many later publications include *The Middle Group of American Historians* (1917), *The Southern Plantation Overseer as Revealed in His Letters* (1925), and the six-volume *Correspondence of Andrew Jackson* (1926-1935). In 1902 Bassett founded the *South Atlantic Quarterly* as a medium for critical and independent southern thought. Bassett, a reformer, social critic, and progressive, held an unusually keen and critical interest in slavery and race relations. More than any other trained white historian in these years, Bassett sympathized openly with blacks. He suggested that masters provided their slaves with sparse clothing and paid little attention to the marriage relation among their bondsmen. He disapproved, too, of the miscegenation that slavery bred, especially the abuse of slave women by white men. Bassett found it increasingly difficult to write history after his return to North Carolina in 1894 as a history professor at Trinity College. The ultraconservative racial mood prevalent in the state, he said, discouraged free thinking, even on the old slavery question.²⁷

As early as 1897, Bassett advocated tolerance toward scholars whose interpretations clashed with southern racial and sectional sensitivities. "We must recognize," he wrote, "that we cannot treat an author whose opinion is contrary to ours as we used to treat a slave whom we did not consider to have opinions." Trained in Adams's seminar to be impartial and critical, Bassett balked at the unjust cries of black misrule in North Carolina when in 1894 and 1896 a coalition of whites and blacks voted into power a Populist administration. And though he was advanced for his day on the race question, Bassett still retained much of his generation's racism. An enlightened paternalist, he urged his fellow whites to remember that:

The white people of America brought the negro here for the good of their own pocket-books. To reap gold in dollars out [of] fields of tobacco and cotton they undertook to put up with his barbarism. They probably did not see how the inferior leaven would leaven their own life. . . . They thought that slavery would keep barbarism down; but they didn't understand that side of the problem . . . and now are coming to realize how they lost in the whole transaction. They don't realize that it is going to take an immense amount of

patient training and a long period of development before the effects of the old inferiority are wiped out of the negro race.

Bassett advocated vocational training for most of the blacks, higher education for the black talented tenth, and considered the notion of black suffrage "nauseating."²⁸

In spite of such cautious and conservative disclaimers, Bassett's views remained far too liberal for most white North Carolinians of the period. He infuriated white southerners at large by predicting future racial equality and, in a famous remark, rating Booker T. Washington as the greatest southerner next to Robert E. Lee. This comment unleashed an avalanche of criticism that nearly cost him his teaching position at Trinity College. The southern historian Walter Lynwood Fleming interpreted the comment as typical of what he termed Bassett's "martyrological, superior, new Southern, jackassical attitude . . . toward all things of the 'Old South.'" According to another early southern historian, William E. Dodd, the "Bassett Affair" was "tantamount to saying that free speech shall not be permitted in our section of the country." Bassett eventually became convinced that he no longer could "write history and direct public sentiment too." In 1906 he departed North Carolina for what he judged to be the less restrictive intellectual environment of Smith College in Massachusetts, where he enjoyed a rewarding and successful career.²⁹

Bassett's sympathy toward blacks, however, never prevented him from identifying certain redeeming features in slavery. For example, he described the Africans brought to American shores as "untamed, degraded, superstitious and dull." Slaves belonged, Bassett insisted, to a race prone to "sensuality" and "animal emotions" expressed in "impetuous fear, joy, or sorrow." Although he blamed slavery for thwarting African American development, Bassett nevertheless praised the institution for keeping in check "the lowest tendencies of the negro." "Whites ought not to expect too much" from blacks, Bassett wrote in 1905, but should instruct and encourage them toward self-elevation.³⁰

Bassett's *Slavery and Servitude in the Colony of North Carolina* and *Slavery in the State of North Carolina* appeared in 1896 and 1899, respectively. True to the Johns Hopkins form, his treatment of slavery in both monographs adhered to the legalistic/institutional mode. Nonetheless, by contributing a long chapter to slave religion in his second monograph, Bassett paid more careful attention to this subject than any previous investigator. Drawing heavily on Baptist Association Reports and Minutes of the Methodist Church for North Carolina, he explained how religion served masters as a double-edged tool—both as a form of discipline and as a reward. Though a few independent slave congregations existed, Bassett explained, most bondsmen worshipped in special galleries at the same time or attended a later service. Bassett wrote that the ignorant slaves eagerly accepted the simple doctrine of Baptist and Methodist missionaries, a creed that transformed North Carolina blacks into submissive laborers. But he cited ex-slave Lunsford Lane's 1842 narrative to prove that some

slaves realized how religion served to tighten their chains. This minority "in their hearts never accepted the institution of slavery." On this point Bassett anticipated later historians' use of black testimony and their recognition of religion as a tool of both racial control and slave resistance.³¹

Bassett also broke fresh ground by making several other important observations regarding slavery in North Carolina. In 1898 he praised as "a triumph of humanity" the famous North Carolina case *The State vs. Will* (1834) that established the slave's right to defend himself against threats upon his life by a white man. In addition, Bassett noted that although white servitude and slavery coexisted in colonial North Carolina, slavery ultimately emerged as the predominant labor system. Africans, he said, more readily adapted than white Europeans to the climate and rigor of field work. Bassett called this a prime example of "the survival of the fittest." Basing his conclusions on the reminiscences of planters, he concluded that slavery proved profitable in rice, cotton, and turpentine production. Under ideal conditions, he noted, a slave employed in the naval stores industry might produce annually up to one thousand dollars beyond the amount necessary to feed and clothe himself. This lone reference to the economics of slavery set Bassett apart from most of his fellow contributors to the *JHUS*, who simply ignored the subject. Economics received little consideration in institutional studies of slavery until the publication of Ulrich B. Phillips's landmark *American Negro Slavery* in 1918.³²

No member of the Johns Hopkins school of historians did more to shape the institutional orientation of the *JHUS* than did James C. Ballagh. The son of an antislavery clergyman, one of America's first Protestant missionaries to Japan, Ballagh was born in Virginia's Shenandoah Valley in 1867. Before enrolling at Johns Hopkins, he studied at the University of Virginia and at Washington and Lee University. After receiving his Ph.D. in 1895, Ballagh remained at the Hopkins and, following Adams's death, he alone determined the direction of slavery studies at the school. Altogether Ballagh wrote or edited six books. He advocated a strictly "objective" approach to history in general and to slavery in particular. On the one hand, Ballagh encouraged the study of slavery because, he said, it rested at the basis of American history since the 1850s. Yet he complained that too many scholars had given slavery a disproportionate share of attention, slighting the role of such important questions as the tariff and public lands. Influenced by the New South ideology of Henry W. Grady, Ballagh urged his students neither to defend nor to attack the "peculiar institution" but to look forward to a prosperous "New South" as "the willing daughter of the Old." Ballagh co-edited the important thirteen-volume *The South in the Building of the Nation* (1909-13) which, according to Marvin E. Gettleman, "somehow attempted both to celebrate the Lost Cause of southern sectionalism as well as to affirm the region's nationalism." Despite his commitment to uplifting his native region, internal conflicts in Hopkins's Department of History in 1913 led Ballagh to leave Baltimore to teach political science at the University of Pennsylvania's Wharton School of Finance and Commerce.³³

Ballagh's importance goes beyond training graduate students in the history of slavery and editing the *JHUS*. First, he made salient contributions to the historiographical debate over the origins of slavery in North America. Years before Oscar Handlin, Carl N. Degler, and Winthrop D. Jordan battled over this question, Ballagh already had staked out the boundaries of the debate. All three acknowledge Ballagh's central importance to the controversy. According to Jordan, for the early twentieth century, Ballagh's thesis represented a "new and different interpretation." Actually, Ballagh's argument concerning slavery's growth in Virginia represents just one part of his larger interpretation of slavery's institutional features in the colony and state.³⁴

In his dissertation, *White Servitude in the Colony of Virginia* (1895), Ballagh argued that white servants and black slaves shared a similar legal status through much of the seventeenth century. Both stood as chattels personal before the law and thus comprised taxable property. Nevertheless, Ballagh identified legal distinctions between the two classes of laborers. White servants possessed privileges denied black slaves, including provisions for religious and secular instruction. White Virginians favored white indentured servants over black laborers on moral and social grounds. But in an uncharacteristic economic interpretation, Ballagh explained that "from a purely economic point of view," blacks proved superior workers and, as a result, slowly black slavery came to replace white servitude as the preferred system of labor in Virginia's tobacco fields. Ballagh underscored white servitude's important role in paving the way "both legally and practically" for the evolution of slavery in Virginia. In 1897 and again in 1898, Ballagh further refined his argument over slavery's origins. The "peculiar institution," he wrote in a book review, did not become clearly distinguishable as Virginia's labor system until the eighteenth century. And in a paper delivered before the Johns Hopkins Historical and Political Science Association, Ballagh pointed out that in a purely legal sense, Massachusetts and Connecticut had established slavery prior to Virginia.³⁵

Ballagh incorporated these findings into his classic *A History of Slavery in Virginia* (1902), an expansion of two articles on slavery that he had published in the *Conservative Review*. This volume won Hopkins' John Marshall Prize. In two essential ways this book best represents the Johns Hopkins institutional approach to studying the history of slavery.

First, Ballagh's source materials surpassed those employed by any previous researcher on slavery, including the acclaimed Nationalist historian James Ford Rhodes. Ballagh drew upon sixteen manuscript collections, the records of numerous county courts, and letter books from the Virginia State Library and the Library of Congress. *A History of Slavery in Virginia* thus contained all of the elements that characterized contemporary understanding of a "scientific" monograph. The book was "objective" in the late-nineteenth-century sense of that term, it was strongly legalistic in method and tone, and it highlighted the various institutional components of slavery, with the notable exception of slave economics.³⁶

Second, Ballagh stressed the evolutionary nature of slave law in Virginia. The Africans who landed at Jamestown in 1619, he argued, were not legally slaves. After their capture by pirates, international law protected them. As "colony servants" they worked for limited durations on public lands. Other blacks imported into Virginia in the mid-seventeenth century also came as servants—subject to the same legal restraints as white indentured servants—with limited terms of service. Such a system of black and white servants proved unsatisfactory, Ballagh maintained, until 1661, when the first differentiation between white and black servants appeared in Virginia statute law. This differentiation resulted, Ballagh said, from the failure of white servants to compete economically with the increasing number of inexpensive black laborers. Gradually special restrictions emerged based on the skin color of blacks, completing their transformation in status from servant to slave. The tenure of the black servant no longer became perpetual—a necessity white Virginian considered essential to make the black workers "socially safe." The conception of property in laborers also changed from that of buying a worker's service to purchasing his person.³⁷

Like Rhodes before him, Ballagh also depended heavily on Frederick Law Olmsted's travel accounts for his analysis of the treatment of bondsmen in antebellum Virginia. But Ballagh's benign portrait of slave society reveals just how two authors relying on the same source can reach radically different conclusions. Unlike Rhodes, whose writing reflected neo-abolitionist sentiment, Ballagh argued that speculation in slave property—the buying and selling of slaves—was rare and never practiced until the late antebellum period. Even then, he explained, masters only sold unruly bondsmen. Most masters preferred to suffer a financial loss, he said, by keeping too many bondsmen rather than selling them. This attitude, according to Ballagh, grew from the sense of "mutual attachment" shared by masters and their slaves. In exchange for the slave's loyalty and service, the slave owner assumed the roles of "playmate, pedagogue, brother, exemplar, friend and companion." In such a relationship, Ballagh insisted, unrestrained whippings occurred rarely, and chaining was "more apparent than real." While he admitted that cruel masters existed under slavery, Ballagh deemphasized this dimension of master-slave relations. In the tradition of slavery's old defenders, and anticipating the later theses of Ulrich B. Phillips and Eugene D. Genovese, Ballagh underscored paternalism as the mainspring of the slave regime.³⁸

Ballagh in fact found little in slave life depressing. Because most Virginia slaves lived on small farms, "bad treatment" was exceptional, generally confined to slaves hired out by their masters. Laughter and music emanated from the slave quarters, Ballagh argued, and the plantation black possessed many qualities found in his master. According to Ballagh, the slave was "cheerful, polite, and respectful to his superiors . . . without sycophancy and without fawning. He was well-bred like his master, and his manners were rather those of a person accustomed to liberty by the reign of law and order than to servile oppression. He often showed a dignity and self-respect that

brought into striking contrast the pert inquisitiveness and false pride of the lowest stratum of the laboring whites." Again, Ballagh simultaneously revived elements of the old proslavery rationale and prefigured the work of Phillips.³⁹

For example, Ballagh praised the plantation system for developing the slaves into the South's master workmen. Field hands learned skills from observing house servants and plantation craftsmen alike. Carpenters, smiths, cobblers—"the black aristocracy of skilled laborers"—had ample free time to practice their crafts off the plantation and to apply their earnings toward self-purchase. Bondsmen also learned trades when hired out for labor on public works, on ships, and in mines. Slave religion, Ballagh added, was yet another aspect of slavery that benefited the bondsmen. Masters cared for their slaves' moral and spiritual needs by providing Sunday schools for them and by allowing the blacks to attend white churches. Although slaves usually sat in segregated galleries, Ballagh maintained that in the Old South "The color line was political and social, not religious." His interpretations of slavery for the entire antebellum period assumed that blacks retained an element of their seventeenth-century status: in day-to-day affairs they were "servants." They were "slaves" only before the law.⁴⁰

Just as Ballagh's volumes surpassed in quality those of Brackett and Bassett, the Johns Hopkins students who succeeded Ballagh contributed institutional analyses of slavery that outdistanced his own. In 1913, John H. Russell of Allegheny College completed an important dissertation that both reinforced and revised Ballagh's writings. Russell's *The Free Negro in Virginia* credited Ballagh with first recognizing that the earliest blacks brought to Virginia came as servants, not slaves. Russell also acknowledged that white servitude was the germ from which slavery later evolved. But Russell made better and more extensive use of Virginia county court records than Ballagh had. He confirmed that slavery originated in Virginia by customary law but disagreed with Ballagh by asserting that court decisions sanctioned slavery prior to the 1661 statutory recognition of slavery. In the period 1640–1660, some blacks labored as servants and others as slaves. Yet, Russell insisted, most blacks imported after 1640 arrived as bondsmen. Basing another observation on additional research in county records and petitions in the Virginia State Library, Russell remarked that "the period of the existence of the black master was conterminous with the period of the existence of slavery." This last point remains under-investigated by today's historians of slavery.⁴¹

The most noteworthy volume in the *JHUS*, Harrison A. Trexler's *Slavery in Missouri, 1804–1865*, appeared in 1914. Born in Illinois in 1883, Trexler entered Hopkins after earning a Ph.B. from Nebraska's Hastings College and beginning graduate study at the University of Chicago and the University of Bonn, Germany. Many years later historian Frederic Bancroft cited Trexler as an example of a historian from the North who, though well received in the South, was "able to retain his critical faculty." Trexler first taught at the University of Montana but spent much of his long teaching career

at Southern Methodist University. His study of Missouri slavery became the last of the *JHUS* to examine slavery as an institution and represents the culmination of years of research conducted at Johns Hopkins on the "peculiar institution."⁴²

Trexler's monograph transcended the other volumes in the *JHUS* in thoroughness and interpretation. More than any of the others, it broke fresh ground in research and methodology. Encouraged by Professor John M. Vincent to emphasize the economic side of slavery in Missouri, Trexler made this the focus of his dissertation without omitting the usual legal or social questions. Following in the footsteps of earlier Hopkins students, Trexler conducted extensive field research. During the summer months of 1912 and 1913, he traversed Missouri's length and width in search of primary sources on slavery, and his industry paid off. In obscure county seats and local libraries Trexler uncovered vast riches, including probate records, tax returns, assessment lists, and city directories. In September 1912 he wrote enthusiastically of his progress: "I got a list of old settlers and newspapermen and have their statements. I also ran down many old slaves. I found the tax books and probate records in all counties, except Platte, more or less complete." The graduate student also discovered a mine of official and private manuscripts pertinent to his subject at the Library of Congress, at the Missouri Historical Society, and in private hands. To supplement these materials, Trexler interviewed ex-slaves as well as white Missourians who had personal recollections of slavery days. Trexler thereby established himself as a pioneer in using oral history testimony as a method in studying slavery.⁴³

Trexler began his study determined to assess the profitability of slavery in Missouri, cognizant no doubt of the virtual absence of this sort of inquiry in the works completed by his predecessors at the Hopkins. But upon finishing his dissertation, Trexler had to admit that his efforts along this line had also been "disappointing." Several impediments, he noted, complicated analyzing the economics of slavery. First, discrepancies between county and federal tax returns made it difficult even to determine the actual number of slaves in the state at any one time. Also, because local officials often assessed bondsmen at rates lower than market value, they lacked uniform standards for rating them. Third, Trexler argued that there were so many variables in Missouri that "to generalize" on the value of slave labor at different periods "would be most misleading."⁴⁴

Trexler identified the difficulty of comparing slavery as a system with free labor as yet another methodological problem in uncovering the history of slavery in Missouri. To accomplish this, he explained, would necessitate contrasting the account books of hundreds of Missouri slaveholders and non-slaveholding farmers with similar documents from farmers in free territory. Trexler concluded quickly that this task was impossible because few farmers in Missouri, or elsewhere, kept systematic records, and he uncovered virtually none of these records himself. A final stumbling block in determining slavery's profitability concerned Missouri's constant shortage of white labor, a circumstance that created an artificial demand for slaves. Confronted

with these obstacles, then, Trexler concluded that the profitability of slavery in Missouri could not be "mathematically settled." "The amount of data is so enormous," he warned, "and at the same time so incomplete and so contradictory that one is not justified in drawing conclusions."⁴⁵

Despite these caveats, Trexler cautiously argued that under certain circumstances slavery in Missouri showed a profit. He surmised that "the healthy western Missouri negro must have been a profitable investment as a hemp cutter and breaker." Saline and Marion counties, areas Trexler determined were well suited to slave labor, supported a vibrant slave-based economy. He was quick to add, however, that large sections of the state proved unadaptive to slavery and, as Ulrich B. Phillips would later note, slave ownership proved risky even for the most ardent supporter of the "peculiar institution." Masters, Trexler explained, confronted "the ever-threatening danger of escape" as well as losses incurred by supporting slaves who were too young or too old to be productive. Many slaveholders also complained that they often lacked enough work for their slaves, thus forcing them to hire their slaves out to others. Eighty percent of the "old slaveholders" Trexler interviewed on the question of the profitability of slavery judged slavery in Missouri to be unprofitable. Still, Trexler recognized that profitability depended heavily on the "personal equation"—the managerial skills of the individual farmer or planter.⁴⁶

Trexler wrote more confidently on noneconomic aspects of Missouri slavery and joined most white scholars of these years in describing slavery as "patriarchal" in nature. This proved especially true in Missouri where, he said, the institution never existed on a large scale, and remained restricted mainly to general farm rather than to plantation agriculture. Even though a few large slaveholdings existed along the Missouri River, most slave owners held only a handful of bondsmen. Many slaves served as domestics or as "all around laborers," not as field hands. Only for hemp production in western Missouri did overseers and gangs of slaves predominate. Trexler maintained that slave life generally was milder in this northernmost slave state than in the lower South. Thus, his conclusions differed from those of earlier contributors to the *JHUS*. For example, Missouri law never differentiated between servant and slave status. It also failed to tighten its slave laws after Nat Turner's 1831 revolt. Because slaves never constituted more than one-fifth of the state's population, whites apparently held little fear of slave uprisings.⁴⁷

Evaluation of the Hopkins Slavery Studies

The Johns Hopkins dissertations and monographs on slavery, from Brackett's first volume to Trexler's final work, received enthusiastic comments from contemporary reviewers. Historian Frederic Bancroft credited Brackett's study with initiating consideration of the "actual conditions" of slavery. Another critic complimented both Brackett and Bassett for their use of "trustworthy original sources" in presenting "the actual facts of slavery as a concrete institution." He especially welcomed Bassett's

treatment of slave religion. A reviewer judged Ballagh's dissertation a "model paper" for its day, and the applause awarded his monograph on slavery in Virginia in *The Critic* must certainly have proved gratifying to him. According to the reviewer, *A History of Slavery in Virginia* was "rigidly scientific" in method and "purely objective" in spirit. The African American scholar William Edward Burghardt Du Bois, not prone to withholding criticisms of authors, black or white, called the volume "the best local study of American slavery" then available, despite the author's racism. Historian Solon J. Buck lauded Trexler's volume in the *Mississippi Valley Historical Review*, especially its use of county records. Bancroft found many "special merits" in *Slavery in Missouri*, a volume he characterized as thorough, impartial, and remarkably fair.⁴⁸

Perhaps not surprisingly, the Hopkins dissertations and monographs elicited some sharp criticism as well. Bancroft argued that Brackett's book fell short because the author failed to digest his evidence fully. In his opinion, the book resembled more "a collection of the raw materials of intellectual subsistence" than a flowing narrative. But Ballagh's monograph on slavery incurred the severest criticism of any of the volumes devoted to the history of slavery in the *JHUS*. Du Bois attacked its apologetic tone, finding Ballagh's argument that England forced slavery on Virginia "a little far-fetched." Bassett disagreed with Ballagh's thesis on the origins of slavery in North America. Bassett maintained that customary law before 1661 dictated the sale of blacks into perpetual slavery. He also noted that Ballagh's "feelings are conservatively sympathetic with the slave holders." An unidentified reviewer in the *Publications of the Southern History Association* stung Ballagh acutely, accusing him of departing from the high standard established by previous authors in the Johns Hopkins series. He considered Ballagh's work too legalistic, too narrow, and said it overemphasized slavery's institutional features.⁴⁹

Recent critics also tend to view the Johns Hopkins slavery studies with disfavor. In 1959, Stanley M. Elkins set the tone for these appraisals. In Elkins's opinion the Hopkins dissertations and monographs started off on the wrong foot by failing to ask the right questions:

The emphasis was genetic, with an effort toward total objectivity; the question was not so much whether the institution was good or bad, or how it worked, but simply, How did it get started? The result was that these studies . . . having no polemical, moral direction, appeared to have no direction at all. The price of detachment, ironically, was that the work—much of it admirably detailed—had little positive impact on other scholars; it could not really become a part of the conversation on slavery. The Johns Hopkins monographs were widely used, though principally as stepping-stones for more polemics, rather than as models of method.

Another critic found the weaknesses in the Hopkins slavery studies indicative of problems in Adams's emphasis on institutional and constitutional history. According to Peyton McCrary, "Adams taught a brand of history which viewed institutions largely through their constitutions, charters, and legislative acts, and which produced shallow, curiously unreal pictures of these institutions, in spite of a great desire for objectivity." Other scholars, notably Bennett H. Wall and Burton M. Smith, virtually parroted Elkins's remarks. Clarence L. Ver Steeg, Robert W. Fogel, and Stanley L. Engerman have questioned the volumes' overt legal emphasis, the latter two scholars commenting that the works lacked a sense of the "material or psychological conditions of the slaves." In 1977 sociologist Orlando Patterson dubbed the Johns Hopkins slavery studies the "theoretical dead-end" of slave historiography. They existed in "a theoretical vacuum," he complained.⁵⁰

To be sure, as a group the scholarship of the Johns Hopkins historians on slavery contained deficiencies. None of the authors integrated race as a factor in slavery's origin and evolution and each author portrayed blacks in the paternalistic or racist stereotypes current in late-nineteenth-century America. All but one of them focused excessively and narrowly on legal themes at a time when many whites defined blacks as little more than a legal "problem." As a result the Hopkins historians listed statutes, cases, and regulations in endless profusion. According to a critic in the *American Journal of Economics and Sociology*, Ballagh, for example, "press[ed] the varied stuff of human life into moulds which are predominantly juridical." Generally, the Hopkins historians described but failed to analyze the slave laws, rarely assessing whether or not the various slave codes were enforced and, if so, why. While Trexler was a notable exception, the young historians at Johns Hopkins also focused so minutely on the colonial period that they virtually ignored the antebellum period. At best economic questions played a minimal role in their analyses. All of the historians relied heavily on "traditional" sources, most notably travel narratives, for their discussions of slavery's non-legal features. In this sense, then, they remained no more "scientific" than Rhodes, or postwar polemicists who, following Appomattox, continued to underscore slavery's positive and negative qualities.⁵¹

Specifically, in his book Brackett omitted consideration of the impact of the domestic slave trade on Maryland's economic fortunes. Bassett's volumes, despite the author's concern with the slaves' religious lives, lacked interpretation. Two modern scholars of slavery in colonial North Carolina found "mystifying" Bassett's undocumented argument that in 1764, North Carolina lawmakers repealed the slave castration clause for "charitable" reasons when, in fact, "the castration clause had originally been enacted as an economy measure and once the pressure for fiscal restraint had passed, the clause was removed." Thereafter North Carolina courts sentenced male slaves to be executed, not castrated, for capital crimes.⁵²

Ballagh ignored the role of slave prices in slavery's evolution and tended to assume that slavery in Virginia typified the institution for the entire South. Like

Ballagh, Russell remained vague on the role of skin color prejudice in establishing the legal status of blacks. And even though Trexler conscientiously attempted to tackle the economics of slavery, he nevertheless failed to calculate the profitability of slavery on a cost basis. Taken collectively, the Johns Hopkins historians of slavery never succeeded in their quest for an objective, unbiased “scientific” history of the “peculiar institution.” They, like the vast majority of whites of their generation, agreed that blacks had benefited from slavery’s tutelage. Unable to distance themselves from their own biases and preconceptions, the Johns Hopkins authors added a scholarly imprimatur to the predominant post-Civil War image of slavery as a patriarchal, benevolent institution, a burden to the masters but a benefit to the slaves.

Though their institutional framework and legalistic approach tended to gloss over their bias, the dissertations and monographs on slavery published in the *JHUS* retained many of the arguments and the tone of the old proslavery literature. For example, the authors maintained that overseers were not as brutal as the abolitionists had portrayed them. They interpreted slave laws as generally humane—with the mutual interests of slave and master of uppermost concern. The Hopkins graduate students deemphasized slave insurrections and plantation violence. Revolts, they said, existed more in the whites’ fears than in reality. They charged that the enforcement of slave laws remained irregular at best. Individual masters generally were fair and generous in their treatment of their bondsmen and women.

Despite their authors’ biases and weaknesses, the Johns Hopkins monographs on slavery remain important. They were the first volumes to evaluate slavery systematically on the state level. By employing heretofore unused sources—government records, private papers, newspapers—the Hopkins authors departed from previous historians’ dependence on anecdotes and travel accounts. The dissertations and monographs’ legal emphasis may actually have resulted as much from the abundance of legal documents as from an interest in the legal development of slavery. Strongly institutional in character, the slavery volumes in the *JHUS* expanded and treated in much greater detail the categories first identified by James Ford Rhodes in volume one of his *History of the United States from the Compromise of 1850 to the McKinley-Bryan Campaign of 1896* (1892). Although Adams’s and Ballagh’s students sympathized with the slaveholders, they carefully noted slavery’s long-range negative moral and social effects on southerners of both races. Describing the evolution of various elements of slavery, not judging them, the Johns Hopkins students naturally were less partisan than previous writers. In their sheer volume and in the detailed attention that they gave slavery as a legal condition of unfree labor, the volumes brought a new scholarly dimension to the study of the “peculiar institution.”

Significantly, Elkins and those historians who have accepted his influential critique fail to place the Johns Hopkins volumes within the context of their day. Their authors shared the contemporary devotion to “scientific” history and considered themselves impartial in their approach to documenting and interpreting the past.

Following the contemporary German ideal of historianship, they examined slavery as an evolving institution and believed that their role was to allow the "facts" to speak for themselves. They anticipated many of the research questions that would preoccupy later generations of slavery scholars. The contributors to the *JHUS* assiduously avoided polemics, purposely concentrating on slavery's legal side. They considered this method essential to avoid special pleading and distortion. That their racial views, their method, and the questions they posed prove unsatisfying to later historians suggests a common dilemma in historiography—presentism.

Perhaps most importantly, for decades historians have relied heavily on the Johns Hopkins dissertations and monographs on slavery as sources for their own writings. Scholars as diverse in outlook as W. E. B. Du Bois and Ulrich B. Phillips, Kenneth M. Stampp and Eugene D. Genovese have acknowledged their debts to the series. Phillips, for example, included in *American Negro Slavery* (1918) twenty references to the Hopkins volumes. More recently, in 1982, five years following his searing critique of the Hopkins slavery studies, Orlando Patterson credited Brackett with unearthing a Somali classification pattern in colonial Maryland whereby the father's race, no matter the status of the mother, determined the status of the child for both free blacks and slaves. In 1681 colonial lawmakers adopted the more common Roman rule in which children assumed the legal status of their mothers. In 1996, Philip J. Schwarz remarked that though Ballagh's "scientific, legalistic language reveals his institutional bias," he "still understood the developmental relationship between custom and laws." And recently historian Diane Mutti Burke commented that despite the avalanche of slavery studies published since 1914, Trexler's monograph on Missouri slavery remained the only general history of the subject published until 2010.⁵³

The Johns Hopkins slavery volumes served as important models for later students. In both the quality of their research and their method, the dissertations and monographs towered above much of the other scholarship of their day. Students throughout the country looked to them as guides for scope, organization, and source materials. Although these "scientific" scholars at Johns Hopkins attempted to avoid value judgments, they ultimately failed to transcend the lingering proslavery ideas prevalent in their age.

It is essential to note that the students at Johns Hopkins were the first historians to devote all of their scholarly attention to slavery, contributing the first monographs exclusively on the topic on the state and local levels. Their efforts popularized graduate training, in-depth research, and publication on slavery. In so doing, the *JHUS* on slavery established a prototype upon which many subsequent state studies on slavery have been based. Others would try to improve their "scientific" model.

NOTES

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Carolina at Charlotte, for their assistance in preparing and revising this article for publication. An earlier version of this essay appeared in the author's *An Old Creed for the New South: Proslavery Ideology and Historiography, 1865–1918* (1985, 1991, 2008).

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7. Ross, "Historical Consciousness in Nineteenth-Century America," 923.
8. Higham, "Herbert Baxter Adams and Local History," 1235; Gettleman, *The Johns Hopkins University Seminar of History and Politics*, 1:16. Gettleman correctly cautions against "overly simplified, mechanical notions of cultural transfer" when evaluating Adams's seminar and

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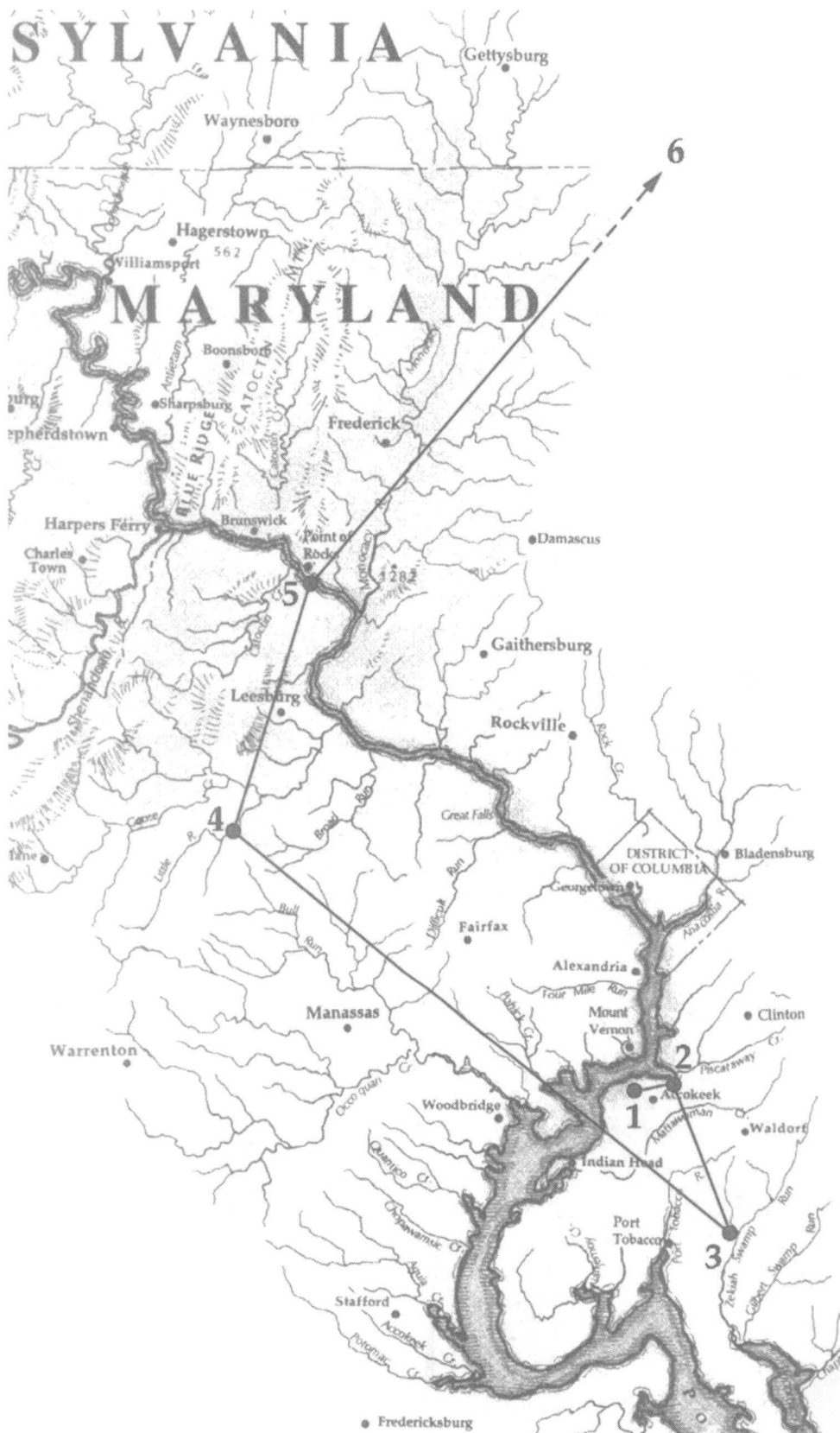
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39. *Ibid.*, 107.

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Research Notes & Maryland Miscellany

A Closer Look at the “Last Appearance” of the Conoy Indians

DENNIS C. CURRY

For more than a century, anthropological and archeological literature has repeated some variation of the statement that the Conoy (Piscataway) Indians “made their last appearance as a separate tribe at a council held at Detroit in 1793.” The statement appears to originate with ethnographer James Mooney, who a few years later added the detail that the Conoy “used the turkey as their signature.”¹ Subsequent scholars have reiterated Mooney’s statement as fact, with Alice Ferguson adding that just fifty members of the tribe remained at the time the council met. This article dissects this oft-repeated statement and evaluates its three main components: the last record of the Conoy as a tribe was in Detroit in 1793; the Conoy signed a document using a turkey symbol as their signature; and fifty tribal members remained in 1793.²

The Piscataway Indians were among the first native groups that early European explorers and settlers encountered in what is now Maryland. Captain John Smith made note of their villages during his exploration of the Chesapeake Bay region in 1608–1609, and Governor Leonard Calvert met with their leader Wannis in 1634 to request permission to settle in the area. Colonial records preserved in the *Archives of Maryland* provide a rich accounting of colonial interaction with the Piscataway and allow us to trace the main group’s subsequent movements from the Piscataway Fort on Piscataway Creek to Zekiah Fort (1680) to the Virginia Piedmont (1697)

Early movement of the Piscataway Indians. (1) Moyaons, 1608; (2) Piscataway Fort/Kittamaquund, ca. 1634–1680; (3) Zekiah Fort, 1680–ca. 1697; (4) Fort above Occoquan, Virginia, 1697–1699; (5) Heater’s (Conoy) Island, 1699–ca. 1712; (6) Conejoholo and Conoy Town, Pennsylvania, ca. 1705–ca. 1743. [Author’s image.]

Dennis C. Curry is a senior research archeologist with the Maryland Historical Trust.

84.

Brothers, we shall be persuaded that you mean to do us justice, if you agree that the Ohio shall remain the boundary line between us. — If you will not consent thereto, our meeting will be altogether unnecessary: This is the great point, which we hoped would have been explained before you left your homes; as our message last fall was principally directed to obtain that information.

Done in general council at the foot of the Miami rapid, the 13th day of August, 1793.

Wyandots,

Seven Nations of Canada,

Delawares,

Shawanoes,

Miami,

Ottawas,

Chippewas,

Sonnas of the Glane,

Poutawatamies,

→ Coonroys,

Munseys,

Kantichos,

Motichees,

Mush



and back to Maryland at Conoy (now Heater's) Island (1699), where they remained until at least 1712. Sometime after, this main body of Piscataway Indians abandoned Maryland for Pennsylvania, where they came to be known by the Anglicized version of their Iroquoian name, Conoy. They moved from their original settlement at Conejoholo to Conoy Town in 1718, to Shamokin in 1743, and then to Juniata in 1749, where they resided with other nations, including the Nanticokes. In 1754, the Conoy and the Nanticoke moved to Otsiningo, New York. After this time, reference to the Conoy appears to be restricted to their presence at treaties and councils. In October 1758 a group of Conoy Indians was among the Six Nations Indians present at a treaty in Easton, Pennsylvania. In September 1776, the "Connoys" attended a grand Indian council at Niagara. And last, in 1793, they were present at the council at Detroit discussed in this article.³

The Conoy Indians and the Western Indian Confederacy

How the Conoy came to be part of the 1793 council, or by what route they arrived in the central Great Lakes region, is unknown. What is apparent, however, is that they formed a small part of a much larger "Western Indian Confederacy" resisting the fledgling U.S. government's attempts to seize lands in the Northwest Territory.

The November 5, 1768, Treaty of Fort Stanwix purportedly reserved lands north of the Ohio River for Native Americans, although this was largely a matter of perspective. In the treaty, the British negotiated with the Six Nations—who did not reside in the Ohio territory—to set the Ohio River as the limit of British expansion and in return, the Six Nations received land in western New York. In reality, the Native Americans occupying both sides of the Ohio River—the Shawnee, Delaware, Mingo, and others—lost their lands south of the river, and later even the Six Nations were forced to cede additional land. Following the American Revolution, the American government, in its quest for expansion, essentially ignored any promises the British made or implied at Fort Stanwix. The result was a decades-long resistance on the part of the Ohio Country natives to preserve land north of the Ohio River as an Indian reserve.

By 1792, the Western Indian Confederacy had moved from the modern Fort Wayne, Indiana, area (where American forces burned some three hundred Indian houses and destroyed extensive crops in 1790) and settled at the Glaize on the Miami (Maumee) River near modern Defiance, Ohio.

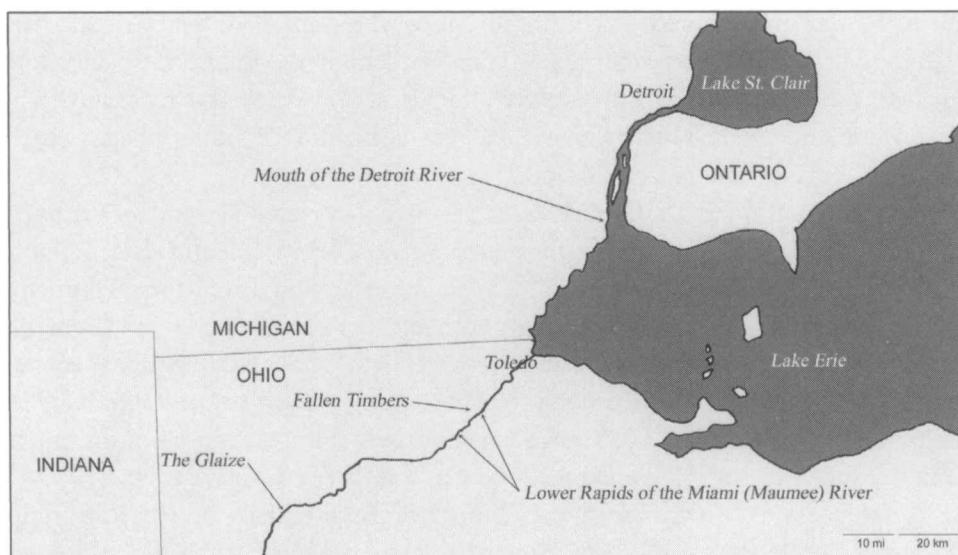
The Glaize was a former buffalo wallow situated at the confluence of the Miami, Tiffin, and Auglaize Rivers. By 1792, some two thousand confederated Indians lived at this location in seven towns: three Shawnee, two Delaware, one Miami, and one European trading town. A small group of Conoy lived in Big Cat's Town, one of the

A copy of the signature page from the Western Indians' message to the Commissioners of the United States, August 13, 1793. Arrow indicates signature line for the Connoys [sic], and their use of a turkey symbol. (Papers of the War Department, WFG17, p. 8.)

Delaware settlements. And it was here at the Glaize—in the Shawnee Captain Johnny's Town—that the Conoy (along with the Shawnee, Wyandot, Delaware, Munsee, Miami, Nanticoke, Mahigan, Ottawa, Chippewa, Patawatomí, Cherokee, Creek, Sauk, Fox, Ojibwa, Six Nations, and Seven Nations of Lower Canada) participated in the Grand Indian Council during September and October of 1792. The group agreed to demand that the federal government uphold the 1768 Treaty of Fort Stanwix by which lands north of the Ohio River were reserved for Indian settlement.⁴

Meanwhile, American forces under General Anthony Wayne's command assembled and trained in the event the negotiations failed. Hopes for a peace settlement remained, however, and in 1793 the American commissioners, based at the mouth of the Detroit River, sent communications to the leaders of the confederated Indians assembled at the foot of the Miami rapids seeking accord. On July 27, 1793, the Western Indian Confederacy wrote to the commissioners noting that the Treaty of Fort Stanwix had set the Ohio River as the boundary to Indian lands, demanding that "you will immediately remove all your people from our side of that River," and questioning the commissioners' authority to speak for the United States. Leaders of ten Indian nations signed the message including the "Connoys" who used the turkey mark. The commissioners responded four days later, acknowledging that the treaty had set the river as the boundary between the Indians and the British colonies but that subsequent treaties had ceded these lands to the United States, and therefore the American settlers could not be evicted. On August 13, the Western Indian Confederacy responded that unless the Ohio River remained the boundary of Indian lands, peace was impossible. Sixteen nations signed the message and the "Connoys" once again used the symbol of a turkey. Within days, the commissioners replied "The negotiation is therefore at an end," clearing Wayne to march against the "hostile Indians," but the approaching winter prompted him to delay the action.⁵

The Americans finally engaged the confederated Indians the following summer, culminating at the Battle of Fallen Timbers on August 20, 1794. Here, in a one-day battle, Wayne's nearly five thousand troops decisively defeated some fifteen hundred warriors under the command of the Shawnee Blue Jacket and the Delaware Buckongahelas, war chief from Big Cat's Town, where the Conoy resided at the Glaize. Buckongahelas commanded the largest Indian group (five hundred Delaware) at Fallen Timbers, and it is possible that number included Conoy warriors. Following the Battle of Fallen Timbers, Wayne's troops razed the towns at the Glaize (building Fort Defiance in their place), and the Western Indian Confederacy dispersed. The next year, the Treaty of Greenville ended the Northwest Indian wars and acknowledged the United States' sovereignty over the Northwest Territory. Representatives of a dozen Indian nations signed the treaty, including Buckongahelas with the Delaware. Notably, several used the turkey symbol, making it difficult to say with certainty that Conoy signed.



Map of the Lake Erie Region. (Author's rendition.)

A Dwindling Population?

Assessing the Conoy population is problematic. The people of the Piscataway/Conoy nation have been estimated at one thousand to twenty-five hundred at the height of their numbers, just before first contact with Europeans. Almost a century later, however, a number of historical accounts show greatly reduced numbers. On March 25, 1697, Sir Thomas Lawrence, recounting the "Nations of Indians" in Maryland to the Earl of Bridgewater, reported, "The Emperor of Piscattaway [presumably at the fort in Zekiah Swamp] under whose subjection is contained Chapticoe and Mattawoman Indians, all which joined by other are said not to be above 80 or 90 in number."⁶

Two years later, on April 21, 1699, Giles Vanderasteal and Bur Harison visited the Piscataway at their new home on Heater's Island in the upper Potomac near Point of Rocks. They observed eighteen cabins inside the fort and nine outside, estimating twenty men, twenty women, and thirty children in addition to about sixteen "in the Inhabitanee" and an unspecified number "outt a hunting." In all, they judged the population, based on the number of cabins, at eighty or ninety bowmen. Although these numbers clearly fail to add up (unless the bowmen included men, older boys, and perhaps some women) they seem to indicate a total population of around 150.

On November 3, 1699, David Straughan and Giles Tilltet report "there is of them about Thirty men" at the fort on Heater's Island. Estimating four people for every man/warrior counted, a population of 120 at the fort is plausible.⁷

Those numbers fell sharply when smallpox swept through the island in 1704. In December of that year, Colonel James Smallwood and sixteen of his men found

the fort largely abandoned. According to those who remained, the epidemic had claimed the lives of fifty-seven men, women, and children. Despite these devastating losses, a 30–40 percent mortality rate, the Piscataway recovered. By spring 1712, Baron Christoph von Graffenried visited a once-again vibrant Indian village (which he called Canavest) on Heater's Island.⁸

Sometime after von Graffenried's visit the Piscataway left Maryland for Pennsylvania. Here, known as the Conoy, they lived with the Nanticoke and other groups, often subsumed in the historical record. With one exception this historical blurring makes it difficult to recover population numbers. Yet on October 8, 1758, when a group of "Conoyos," led by Chief Kandt (or Last Night) and including nine men, ten women, and one child, stood among the Six Nations Indians present at a treaty in Easton, Pennsylvania. It is not known whether these numbers represent the entire Conoy population, or if these people served as a smaller emissary group.⁹

Inferences can be drawn from the Conoy group at the Glaize in 1792. The group lived with the Delaware in Big Cat's Town, the larger of their two villages. Although the size of the town is unknown, approximately two thousand people lived there in seven towns and the Shawnee town of Blue Jacket held approximately three hundred. It is reasonable to speculate that the "small village of Conoys," within that town numbered fifty people. They appear in the record again, at the foot of the Miami rapids where their leaders signed correspondence to the U.S. Commissioners on August 13, 1793, but how many were at the rapids, and if any participated in the Battle of Fallen Timbers, is unknown. No Conoy are listed as signatories to the Treaty of Greenville in January/February 1795.¹⁰

A Final Assessment

The often-repeated statement that the last record of the Piscataway/Conoy as a tribe (of just fifty members) was in Detroit in 1793, where they signed a document using a turkey symbol as their signature, is incomplete. In fact, the "Connoys," as part of the Western Indian Confederacy, signed communications in July and August of 1793, using the mark of a turkey in both instances. However, the confederacy was not in Detroit when they signed these documents but at the foot of the Miami River rapids, some ten miles southwest of present-day Toledo, Ohio. (Confusion may have stemmed from the fact that the United States Commissioners, with whom the confederated Indians were corresponding, were situated at the mouth of the Detroit River—nearly twenty miles south of present-day Detroit.) And finally, though documentary evidence has not been found, it seems reasonable that in 1793 the Conoy tribe numbered fifty or fewer members.

On the surface, the subject of this article may seem merely a pedantic exercise. However, to those it most concerns—the Piscataway/Conoy—perhaps this discussion will shed light on an obscure part of their past. The Conoy did not just "appear" in the Ohio Country in the late 1790s, sign a document, and then fade from existence.

These were an historic people who migrated as a group from their adopted homes in Pennsylvania and New York to the Glaize on the Miami River in Ohio, where they actively joined other Indian groups in a resistance movement against the forces of the burgeoning United States. And their council (not in Detroit, but at the lower falls of the Miami River), where they signed documents using the symbol of a turkey, did not involve benign, insignificant correspondence but rather a demand that the U.S. Commissioners immediately remove their settlers from Indian lands. Ultimately, the failure of both sides to reach a peaceful agreement led to the Battle of Fallen Timbers, an event that likely included Conoy who, according to Piscataway oral history, subsequently returned to their Maryland homelands where their descendants live today. Rather than simply being left with a terse statement concerning the "last appearance" of the Conoy, this expansion on an incomplete chapter of Piscataway/Conoy history should contribute to their descendants' greater sense of identity in a modern Maryland.

Postscript

Throughout this article references to the Piscataway or Conoy tribe are to the main group, commonly residing with the tribe's chief personage (referred to as the *tayac* by the Indians, or the "Emperor" in colonial documents). In tracing the Piscataway/Conoy people from the time of their encounter with Captain John Smith to their documentary disappearance in Ohio in 1793, the focus has been on this core group. Yet, it is clear that not all tribal members acted in tandem. For example, the final Piscataway migration from Heater's Island to Pennsylvania apparently occurred in increments staggered over at least a decade, an indication that some individuals and their families may have elected to remain behind, perhaps returning to their ancestral homeland in southern Maryland. Oral tradition among groups identifying themselves as modern Piscataways holds that numerous individuals and families lived in self-imposed isolation in remote areas of Prince George's and Charles Counties. In fact, such a case is documented—in 1736, "George Williams, an Indian" petitioned the legislature to intercede with landowner Charles Pye to allow "the said Indian and his Family [to] live quietly upon the Land where they are now settled [on Mattawoman Neck in Prince George's County]." That other similar Piscataway homesteads and settlements went undocumented would not be unexpected, and the modern-day resurgence of the Piscataway, initiated by Philip Proctor (Turkey Tayac) in the 1920s and 1930s and peaking in the late 1960s and 1970s, attests to the fact that the "last appearance" of the Piscataway may be a decidedly one-sided notion.¹¹

NOTES

The author would like to thank Maureen Kavanagh, Rico Newman, Orlando Ridout V, Gabrielle Tayac, and an anonymous reviewer for their comments on an earlier version of this

paper. Julie King is acknowledged for bringing the "George Williams, an Indian" reference in the *Archives of Maryland* to my attention.

1. The turkey was used by a number of tribes on numerous treaties, etc., including the "Mohickens" and possibly the Munseys on the August 13, 1793 document shown on page 346. Various tribes often shared clan symbols (turtles, deer, and birds are very common). And since the Conoy were often "absorbed" into other groups such as the Delawares or the Nanticokes, it would be nearly impossible to identify a Conoy individual based solely on his use of the turkey. On the August 13, 1793, document it is clear that the "Connoys" used the turkey symbol because the government transcriber recorded both the tribe's name and the turkey symbol.

2. James Mooney, "Indian Tribes of the District of Columbia," *The American Anthropologist*, 2 (1889): 265; James Mooney and Cyrus Thomas, "Conoy," *Handbook of American Indians North of Mexico*, ed. by Frederick Webb Hodge (Washington, D.C.: Smithsonian Institution, 1907), 340; Alice L. L. Ferguson, *Moyaone and the Piscataway Indians* (Washington, D.C.: Privately printed, 1937), 44; E. Ralston Goldsborough, "The Aborigines of the Lower Potomac River Valley," *Pennsylvania Archaeologist* 8 (1938):30; Alice L. L. Ferguson and Henry G. Ferguson, *The Piscataway Indians of Southern Maryland* (Accokeek, Md.: Alice Ferguson Foundation, 1960), 43; Robert L. Humphrey and Mary Elizabeth Chambers, *Ancient Washington: American Indian Cultures of the Potomac Valley* (Washington, D.C.: George Washington University, 1977), 20; Paul Byron Cissna, "The Piscataway Indians of Southern Maryland: An Ethnohistory from Pre-European Contact to the Present" (Ph.D. diss., American University, 1986), 200.

3. David H. Landis, "Conoy Indian Town and Peter Bezaillion," *Historical Papers and Addresses of the Lancaster County Historical Society* 37 (1933):123; Barry C. Kent, *Susquehanna's Indians* (Harrisburg: Pennsylvania Historical and Museum Commission, 1984), 392; Christian F. Feest, "Nanticoke and Neighboring Tribes," in *Handbook of North American Indians: Northeast*, ed. by Bruce G. Trigger (Washington, D.C.: Smithsonian Institution, 1978), 246; Pennsylvania Archives, *Minutes of the Provincial Council of Pennsylvania*, vol. 9, *Containing the Proceedings of Council from October 15th, 1762, to 17th of October, 1771, Both Days Included* (Harrisburg, Pa.: Theo. Fenn & Co., 1852), 390; C. A. Weslager, *The Nanticoke Indians: A Refugee Tribal Group of Pennsylvania* (Harrisburg: Pennsylvania Historical and Museum Commission, 1948), 62; "A List of Indians of Six Nations Present at Treaty at Easton, 1758," *Pennsylvania Archives*, 3 (1758): 558; William L. Stone, *Life of Joseph Brant-Thayendanegea: Including the Border Wars of the American Revolution, and Sketches of the Indian Campaigns of Generals Harmar, St. Clair, and Wayne, and Other Matters Connected with the Indian Relation of the United States and Great Britain, from the Peace of 1783 to the Indian Peace of 1795* (New York: Alexander V. Blake, 1838), 3-4.

4. Hendrick Aupaumut, "A Narrative of an Embassy to the Western Indians from the Original Manuscript of Hendrick Aupaumut, with Prefatory Remarks by Dr. B. H. Coates," *Memoirs of the Historical Society of Pennsylvania*, 2 (1827): 97 [note: Kuhnauwautheew = Conoy]; Helen Hornbeck Tanner, "The Glaize in 1792: A Composite Indian Community," *Ethnohistory*, 25 (1978): 19.

5. Papers of the War Department, "Indian Council Refuses to Meet U.S. Commissioners," wardepartmentpapers.org, accessed January 25, 2010.

6. Feest, *Nanticoke*, 242; William Hand Browne et al., eds., *Archives of Maryland* (Baltimore: Maryland Historical Society, 1883-1972), 25:256 (hereinafter cited *Arch. Md.*).

7. Wm. P. Palmer, ed., *Calendar of Virginia State Papers and Other Manuscripts, 1652-1781, Preserved in the Capitol at Richmond* (Richmond: Virginia State Library, 1875), 63-65. Feest, *Nanticoke*, 242, takes this number of eighty to ninety bowmen literally as men/warriors and

estimates the Conoy population at 265–300. If one were to use five to seven people per cabin to estimate population, the twenty-seven cabins at Heater's Island would indicate a total of 135–190 people. Palmer, *Calendar*, 67. If this same 4:1 people:warrior ratio is applied to Vanderasteal and Harison's estimate of twenty men, and assuming another twenty were "in the Inhabitation" or "outt a hunting," the total population would be about one hundred sixty.

8. Arch. Md., 26:376–77; Vincent H. Todd, ed., *Christoph von Graffenried's Account of the Founding of New Bern* (Raleigh: North Carolina Historical Commission, 1920).

9. Pennsylvania Archives, *Minutes of the Provincial Council of Pennsylvania*, vol. 8, *Containing the Proceedings of Council from January 13th, 1757, to 4th of October, 1762, Both Days Included* (Harrisburg, Pa.: Theo. Fenn & Co., 1852), 176.

10. Tanner, *The Glaize* 18–20; Piscataway/Conoy oral history relates that at least some of the Western Indian Confederacy Conoy walked back to Maryland following the Battle of Fallen Timbers (Gabrielle Tayac, personal communication, 2010).

11. Gabrielle Tayac reminds me that this may be an oversimplification and has posited that the Conoy may have split into two groups while at Shamokin (ca. 1743), with one faction later moving to Iroquoia and the other joining the Western Indian Confederacy. For more information, see Gabrielle Astra Tayac, "'To Speak with One Voice': Supra-Tribal American Indian Collective Identity Incorporation among the Piscataway, 1500–1998" (Ph.D. diss., Harvard University, 1999); 19. Arch. Md. 24:145–46; Kent, *Susquehanna's Indians*, 72; Feest, *Nanticoke*, 246; William B. Marye, "Patowmeck above ye Inhabitants (Part 1)," *Maryland Historical Magazine*, 30 (1935): 5–6. As early as 1701, Conoy (Ganowese) representatives attended a meeting with William Penn in Philadelphia and received permission to settle in Pennsylvania. In 1705, shortly after the outbreak of smallpox on Heater's Island, the Piscataway petitioned the governor of Pennsylvania for permission to settle in Tulpenhocken. By October of that year, at least some Piscataway were in the Conestoga (Lancaster) region where James Logan visited them, presumably at Conejoholo on the east side of the Susquehanna River. The absence of any mention of an Indian village or fort at the location of Heater's Island on Philemon Lloyd's 1721 map, "Patowmeck above ye Inhabitants," provides circumstantial evidence that the Piscataway had abandoned the island by 1721. "Memoranda" attached to Lloyd's map ("... ye Cunnoyes [Conoy]; A Numerous Poeple [sic] wch heretofore Inhabited ye Upper Parts of yt River . . .") seem to indicate that the Piscataway had left the region well before 1721. Gabrielle Tayac, *We Rise, We Fall, We Rise: A Descendant of the Capital City's Original Inhabitants Comes Home* (Washington, D.C.: National Museum of the American Indian, Smithsonian Institution, 2004); National Museum of the American Indian, *We Have a Story to Tell: Native Peoples of the Chesapeake Region* (Washington, D.C.: Smithsonian Institution, 2006), 8; Arch. Md., 28:93–96.

The Visual Rhetoric of Monuments and Memorials in the Baltimore Area: An Interdisciplinary High School Research Project

HARRY J. COOK and DUSTIN MEEKER

When I launched the project on monuments and memorials with my students in October 2010, I asked them a simple question: 'Why is Pulaski Highway (which runs near our school) called Pulaski Highway?' Not one student could answer. I then said, 'Where would you go to find out?' Those two questions served as a framing device for an exciting year of archival research at the Maryland Historical Society and other institutions in the area. Authentic, rigorous, and relevant, the project taught students more about how to conduct research, and write about it, than any research project I had assigned previously. The Maryland Historical Society is a treasure in the Baltimore Area.

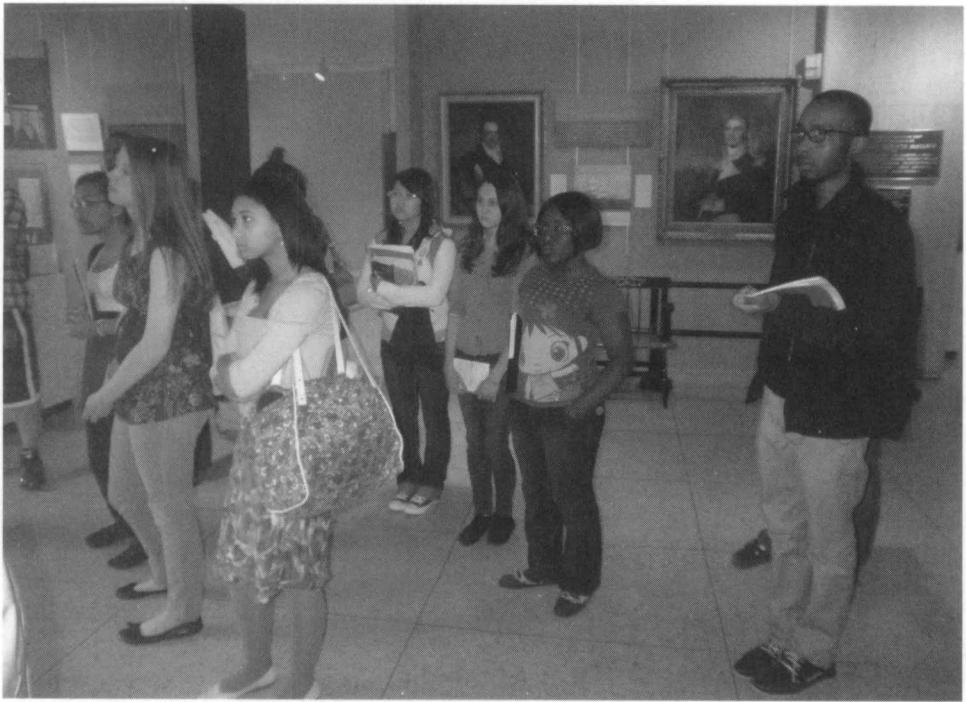
— Harry J. Cook¹

This project taught me some of the history of Baltimore in a unique and interesting way, and I certainly learned a lot about what original research entails. I learned that monuments and memorials speak to us when we fully understand their language. My group worked on the Lee and Jackson Monument in Wyman Park. I really enjoyed visiting the actual monument and working with primary source materials at the Maryland Historical Society.

— Elmer Turner, Student, Eastern Technical High School²

During the 2010–2011 academic year, four classes of Eastern Technical High School Advanced Placement English Language and Composition students completed authentic group research projects on the topic "The Visual Rhetoric of Monuments and Memorials in the Baltimore Area." By working closely with Dustin Meeker at the Maryland Historical Society, students had a unique opportunity to develop their skills in analysis and evaluation of visual ar-

Harry Cook, the English Department Chair at Eastern Technical High School, teaches Advanced Placement English Language and Composition. Dustin Meeker is associate director of school programs at the Maryland Historical Society.



Dustin Meeker, Maryland Historical Society, explained library etiquette and the procedures for handling primary and secondary source material.

tifacts, utilize primary source materials, and form arguments that employ multiple rhetorical strategies. The project was designed to be interdisciplinary, multiculturally sensitive, and differentiated to accommodate various learning modes.³

Baltimore, often referred to as the “Monumental City,” has hundreds of monuments and memorials that serve as windows to the city’s history and culture, commemorating the dead and also embodying the hopes, dreams, and beliefs of the living. Students worked in teams of four or five, and each team selected one of Baltimore’s monuments or memorials to research for this multimedia project. Several groups selected monuments related to the War of 1812 to coincide with Maryland’s bicentennial commemoration. Students analyzed and evaluated the artist’s or architect’s rhetorical choices in order to understand the implicit and explicit arguments the creators made. All students presented their findings in a research paper format with works cited that included both primary and secondary sources, and also produced a multimedia presentation using trailers or short films, PowerPoint, video podcasts, Prezi, and other current technologies that enhance the learning experience.

Harry J. Cook, English Department chairperson at Eastern Technical High School, first conceived the idea for the project at the 2010 National Advanced Placement Conference in Washington, D.C. While there, Cook attended a session conducted by Dr. Renee Shea, Bowie State University, and several District of Columbia

teachers who used monuments and memorials in Washington to teach principles of rhetoric. Teachers and students engaged in these projects analyzed the 9/11 Pentagon Memorial and explored the power of monuments and memorials in contemporary films.⁴ Impressed by the D.C. project, Cook considered the great potential for implementing a visual rhetoric research project in Baltimore, the Monumental City. Cook worked with his colleagues Deidre Clawson, an English teacher at Eastern Technical High School, and Deborah Lambert, the school's media specialist, in conceptualizing the project and applying for a grant from the Baltimore County Public Schools Instructional Initiative (BCPSII) to cover Maryland Historical Society cost per pupil services, guest speakers, transportation, and supplies. Impressed by the project's potential and educational value, BCPSII awarded Cook and his colleagues a \$1,920 grant.

The BCPSII grant proposal had to address the theme of Art and Culture, describe the major objectives of the project and the major needs it would meet, explain how the proposal would address the instructional goals of the Baltimore County Public Schools *Blueprint for Progress*, describe the instructional methods and techniques used to implement the project, explain the instructional levels and subject areas served and the potential for expansion to other grade levels and schools, explain how the project would be evaluated, outline the work plan with a timeline for key activities/actions in the implementation of the project, and outline the proposed budget. One reviewer wrote that the grant proposal is "well suited for export to other Baltimore County schools and elsewhere. . . . Your efforts hit each and all areas in the heart (and intellect), and I'm grateful for having had the opportunity to read your submission, and for your service to Baltimore County schoolchildren."⁵ One reason the project had many possibilities for application is that regardless of where students live, in a large metropolitan area such as Washington, Baltimore, Philadelphia, or New York, or a smaller community, each jurisdiction had its own monuments and memorials to commemorate its past. In addition, the project could easily be adjusted for just about any age group.

After Cook received grant approval, he immediately contacted the Maryland Historical Society (MdHS) to explore the potential for a formal partnership. The MdHS was a natural community partner for this project, given its extensive archival resources and educational mission to promote the use of primary sources and historical research projects in the teaching of the humanities. In 2004, MdHS educators recognized a need to provide middle and high school students with authentic historical research experiences that would simultaneously teach subject content while developing students' analytical, research, and critical reading skills. They established the Student Research Center for History (SeaRCH), an innovative library space that provides secondary students and teachers with access to MdHS's archival collections through historical methods workshops and class and individual research sessions. Each visit to SeaRCH exposes students to historical research methods and trains

students to identify, properly handle, and analyze original archival sources—essential academic skills that serves students throughout higher education and beyond.

Cook and Meeker met personally at the MdHS to discuss the logistics and form a calendar for the project (see calendar below). As a result, on November 23, 2010, Meeker visited Eastern Technical High School to administer a workshop to two groups of Grade 11 students on research library etiquette, finding and analyzing primary and secondary sources, organizing research materials, and bibliographical formatting in preparation for research trips to SeaRCH. After selecting a monument and conducting preliminary research, representatives from each group visited MdHS for research sessions on March 7 and April 29, 2011. Prior to each visit, Meeker combed the library and archival collections for sources relevant to each group's respective project. During the research sessions, students encountered a variety of sources, both primary and secondary, in the form of newspapers, photographs and prints, ephemera, personal papers, and published material, such as official programs from monument dedication ceremonies. To understand a monument's rhetoric and the spatial, artistic, and textual choices and strategies its creator(s) employed, students had to research both the monument's history as well as the history of the event or people the monument celebrates. For example, to someone unaware of Frederick Douglass's life as a slave and ship caulker in the shipyards of Baltimore, the placement of the Douglass sculpture on a Fell's Point pier is meaningless. Accordingly, students also utilized secondary sources in their research sessions to deepen their knowledge of the monument's subject.

Monuments and memorials selected for research included: Holocaust Memorial, Lombard Street—two groups; Washington Monument, Mount Vernon; Frederick Douglass Bust, Fells Point; Confederate Soldiers and Sailors Monument, Mt. Royal Terrace at Mosher; Edgar Allan Poe Gravesite, Southeast Corner of Fayette and Green Streets—two groups; Orpheus (Star-Spangled Banner Memorial, Fort McHenry); Pope John Paul II, Charles Street; Johnny Unitas, M&T Bank Stadium; *Constellation*, Inner Harbor; Katyn Holocaust Memorial, South President Street; General Pulaski Monument, Patterson Park, South Linwood at Eastern Avenue; Lee and Jackson Monument, Art Museum Drive at Wyman Park Drive; Thurgood Marshall Monuments, Corner of Pratt and Sharp Streets, Baltimore and State Courthouse in Annapolis; Billie Holliday Statue, 1300 Pennsylvania Avenue; American Indian Monument, "Trail of Tears," Clifton Park; and the Francis Scott Key Monument, Eutaw Place and Lanvale Street. Students also took a field trip to all but two of the actual sites on May 18 to photograph, shoot video footage, and study inscriptions on the monuments and memorials prior to completing their final projects. Presentations for all groups were scheduled for multimedia presentations and grading of research papers on June 2 and 3, 2011, in Eastern Tech's Library Media Center. The top six groups then competed for a cash award during a Showcase Presentation at Eastern Tech on June 9. Visitors included Amy Charleroy, associate director, Office of Aca-



Students took careful notes and recorded precise documentation.

demic Initiatives, College Board (who is interested in the project as a national model of interdisciplinary research); Renee Shea, who provided the original idea for the project; Dustin Meeker from the Maryland Historical Society; Margy McCampbell, chair, Department of English, Community College of Baltimore County; Eastern Tech administrators; teachers with interest in the project from other Baltimore County public schools; parents of presenters; and students from other project groups. The winning group presented on the Katyn Memorial on President Street, Baltimore.

The key objectives of the project as stated in the "Application Project Description" coincided with the objectives for Advanced Placement English Language and Composition and Advanced Placement U.S. History as stated by the College Board in the official descriptions of the course.⁶ Both courses required students to present, analyze, and evaluate persuasive oral and visual presentations with a focus on rhetorical techniques. In addition, both examinations contain a Data Based Question (DBQ) that required students to use primary source materials in composing an argument with evidence. After selecting their monument or memorial, each group had to devise vital questions about the monument's purpose and the visual image to the audience and understand and investigate any contradictions between the two. The group then had to interpret abstract qualities of visual symbolism and explain the connection to the overall design of the monument. The next step was to gather and assess relevant information, applying the steps in the research process before coming to well-reasoned conclusions and testing them against relevant criteria and standards. Groups then had to write a summary of their findings with a bibliography of primary and secondary sources (group responsibility with individual responsi-

bility factors) before creating a multimedia presentation that communicated the interpretations of the monument to an educated audience. These objectives were achieved in various stages over the course of the year through lectures and field trips supported by grant funds:

- November 23, 2010—Lecture at Eastern Tech for 120 students on the proper use of primary and secondary sources conducted by Mr. Dustin Meeker, Maryland Historical Society
- March 7, 2011—Student field trip to Maryland Historical Society to conduct research in primary source materials
- April 29, 2011—Second student field trip to Maryland Historical Society to conduct research in primary source materials
- May 18, 2011—Student field trip to actual monument/memorial sites to film video
- June 2 and 3, 2011—All groups present research paper and multimedia productions for grading and peer evaluations
- June 9, 2011—Showcase of the best six presentations for cash award (provided by Harry J. Cook)

Specific objectives listed in the "Application Project Description" were achieved through the development of specific lessons on identifying visual vocabulary and techniques, interpreting and analyzing visual characteristics of non-print media, identifying explicit and/or implicit arguments within pieces of art, evaluating arguments in light of audience and purpose, determining and utilizing credible sources of information, organizing information in a purposeful manner for presentation to an audience, constructing a thesis, supporting the thesis with credible facts, incorporating rhetorical devices in order to establish and strengthen voice, and evaluating peer construction of a rhetorical analysis by synthesizing the project's skills.

Beyond the immediate objectives, the project would help all students prepare for the rigors of college by teaching teamwork, communication skills, critical thinking, creative problem solving, and the possibilities of technology applications. It also required parental involvement and collaboration with experts in the field. Many of the groups conducted interviews with history teachers in the building, college professors who are experts in a certain field of inquiry, and curators/caretakers of some monuments and memorials. Pedagogically, the project used a constructivist model—the philosophy that learners need to build their own understanding of new ideas. Learning something new, or attempting to understand something familiar in greater depth, is not a linear process. Initially, when curiosity about a topic is stirred, students are stimulated by something intriguing—in this case a real monument or special space. Students were encouraged to poke, probe, and inquire about their choice of topic and piece by piece to construct new knowledge. Students then had to extend conceptual understanding through discussions and creative efforts. Students

also had to validate assumptions about the “argument” of the monument or memorial they studied. This process can be summarized by the “Five Es”:⁷

- Engage—students encounter and identify the instructional task, making connections between past and present learning.
- Explore—students get directly involved by visiting the monument or memorial site to get a feel for the artifact, take notes, and brainstorm.
- Explain—students begin to put experiences into language for written and oral communication.
- Elaborate—students expand on the concepts they have learned, make connections to other related concepts, and apply their understanding to the world around them.
- Evaluate—students participate in ongoing self-assessment at various stages of the project, and they will display concrete evidence of the learning to their peers, teachers, parents, and administrators in the final presentation product. Tools to assist this process may include student generated scoring rubrics, checklists, student interviews, student reflection essays, etc.

Ten central questions guided analyzing the argument of public monuments and memorials (students had to identify and state the major argument that the monument or memorial made and evaluate the evidence supporting the argument—both explicit and implicit).

1. What does the monument memorialize?
2. What is the geographical space of the monument? The psychological space? Is it sacred space? How does it fit into the surrounding landscape?
3. What is the history of the monument? (This is especially important when there has been some controversy.)
4. What are the visual elements of the monument: Include both sculpture and painting. Pay particular attention to whether the monument is representational or abstract (or both).
5. What written text or texts is/are part of the monument: Analyze them rhetorically. What was their original context? Who wrote them? Are they metaphorical?
6. How do the visual elements and the written text interact?
7. How does the monument appeal to ethos, pathos, logos?
8. Is the monument a metaphor? Explain.
9. How does the viewer experience the monument?
10. What does this monument ask the viewer to remember or to commemorate?

So how effective was the monuments and memorials initiative and what evaluation methods were used? All students involved engaged in a discussion to develop the evaluative criteria/scoring rubrics for both the written portion and performance portion for each monument project. In addition to the teacher's evaluation for grading purposes, all students had to complete the rubrics for each of the other groups' projects (peer evaluation/feedback). Judges used the rubrics during the showcase to determine the cash prize winner. The three judges for the showcase were other teachers at Eastern Tech: Rob Spivey, Social Studies chair; Chris Harrison, AP Psychology teacher; and Lynn Thomas, art teacher.

Students also had to complete two independent pieces of writing—a personal statement of their individual contributions to the group projects and a personal reflection on these questions: "What is the inherent value of studying monuments and memorials in the area where you live? What did you learn (knowledge and skills) by completing the project?" The following is a sample personal reflection from student Eric Barbalace (all others are available upon request):

Throughout this project I learned many things about not only the monuments themselves but also much information about the history of Baltimore. By studying monuments and memorials in the local area, I was able to understand and analyze many of the key historical figures and sites that helped to shape the history of the city in which I live. Monuments tell us a lot about an area's past, and it is important to understand the past to help predict the future. By viewing and closely studying monuments and memorials, I significantly improved my analytical skills. The more I researched, the more I found to research. Each monument is a history book. I am glad to have had the opportunity to complete the project.⁸

Eric's sentiments corroborate the case for engaging students in community and local history research. MdHS educators have long advocated the use of local and regional resources in the teaching of social studies and language arts, and Eastern Technical High School is one of several regional schools with which MdHS has collaborated on community history projects. When teachers engage their students in community research, a discipline's content and process becomes meaningful to students' lives beyond the classroom, a method that educators call culturally relevant pedagogy. When given an opportunity to explore national or global themes through the lens of local history, students quickly realize that their lives, cultures, and communities are products of the historical trends they encounter in classroom study. Further, students can develop community pride, a sense of civic purpose, and a greater historical consciousness upon learning that ordinary people from their community, through individual and collective efforts, shaped the nation's history. In communities throughout Maryland and the United States, local history research

projects in secondary classrooms have resulted in the preservation of deteriorating and forgotten landmarks and the creation of oral history collections with community members.

Many students benefited from the "Monuments and Memorials" project, and similar projects have a bright future on the national stage. The nineteen research groups involved 109 students in AP English Language and Composition, at least half of whom also were enrolled in AP U.S. History. The success of this project has made it attractive to other teachers at Eastern Technical High School, and a teacher at Parkville High School (Baltimore County) also hopes to engage in a similar project in the 2011–2012 school year. Beyond Baltimore County Public Schools, Harry Cook presented a conference paper on the project at the National Teachers of English Convention in Chicago in November, where the project generated additional interest among educators to develop similar projects throughout the country. In addition, as stated above, the College Board is interested in the project as a national model for infusing the arts into AP curricula. Thus, the future impact of the project may be much broader than anticipated, thanks to the funding from BCPS Educational Initiatives and the partnership with the Maryland Historical Society.

NOTES

1. The authors would like to thank Thomas G. Evans, principal of Eastern Technical High School, for his generous support of this project.
2. Elmer Turner, "Monuments and Memorials: Personal Reflection Essay," May 2011. Turner is an Eastern Technical High School student who participated in the project.
3. Eastern Technical High School is a public magnet school in Baltimore County. The U.S. Department of Education selected it as a 2010–2011 National Blue Ribbon School.
4. Renee Shea and Doranna Tindle, "The Visual Rhetoric of Monuments and Memorials" (Presentation delivered at the AP Annual Conference, July 2010).
5. John A. Hayden III, board of directors, Baltimore County Public Schools Education Foundation, email to Harry Cook, October 10, 2010.
6. College Board AP, "English: English Language and Composition; English Language and Literature: Course Description," and "United States History: Course Description," *AP Central*, 2010, <http://apcentral.collegeboard.com/apc/public/repository/ap-english-course-description.pdf>.
7. Roger W. Bybee, *Achieving Scientific Literacy: From Purposes to Practices* (Westport, Conn.: Heinemann, 1997).
8. Eric Barbalace, "Monuments and Memorials: Personal Reflection Essay," May 2011.

Unearthing Maryland's Civil War History at the National Archives

JONATHAN W. WHITE

Over the past 150 years, historians have written a great deal about Maryland's Civil War experience, but much work remains to be done. This brief note directs researchers to records at the National Archives that have been underutilized by scholars of the Maryland home front during the war. A number of important materials are hidden away in record groups where researchers would not necessarily expect to find them. In the course of writing *Abraham Lincoln and Treason in the Civil War: The Trials of John Merryman*, I came across a number of materials that will be of interest to researchers. My hope is that this essay will serve as a "finding aid" of sorts to spur further research into that pivotal period in the state's history.

The records in this research note are all held by the National Archives and Records Administration (NARA). Records at the National Archives are organized into "record groups" (sometimes abbreviated RG) with most government departments and agencies assigned their own record group number. Within each record group, collections are assigned "entry" numbers. Researchers interested in any of the records herein described can easily locate them by requesting the appropriate record group and entry numbers at the facility at which the records are held. NARA has regional branches throughout the United States, as well as two main facilities in Washington, D.C. and College Park, Maryland. Researchers may also wish to consult NARA's *Guide to Federal Records*, available online at <http://www.archives.gov/research/guide-fed-records>.

Following the Pratt Street Riot of April 19, 1861, federal military authorities clamped down on disloyal activities in Baltimore and throughout the state, arresting hundreds of Marylanders and imprisoning them at forts in Baltimore, Boston, New York, and Hampton Roads, Virginia. At least 166 Maryland civilians were arrested in 1861 alone.¹ Among the more famous detainees were Baltimore County farmer John Merryman, inventor and legislator Ross Winans, Baltimore mayor George William Brown, Baltimore police marshal George P. Kane, several newspaper editors, the Baltimore police commissioners, Congressman Henry May, and several "disloyal" members of the Maryland state legislature.

Jonathan W. White is assistant professor of American Studies at Christopher Newport University and author of Abraham Lincoln and Treason in the Civil War: The Trials of John Merryman (Baton Rouge: Louisiana State University Press, 2011).

In addition to arresting individuals the military often seized the personal papers of the persons detained. In many instances, those papers were never returned to their owners and remain in the care and custody of the federal government. The papers of Baltimore police marshal George P. Kane are held at the National Archives in Washington, D.C., in Record Group 393 (Records of the United States Army Continental Commands), Part 1 (Geographical Divisions and Departments and Military Districts), Entry 2380 (Middle Department, Records of Staff Officers, Provost Marshal, Letters Received), Box 1. Kane's correspondence, which mostly dates from April and May 1861, includes letters from several prominent Baltimoreans, including Mayor George William Brown, police commissioners Charles Howard and John W. Davis, U.S. Senator James A. Pearce, and the Union commander at Fort McHenry, General George Cadwalader, among others. In addition to Kane's seized correspondence, the two boxes in Entry 2380 contain correspondence received by the provost marshal from civilians and military officers, army surgeons, and military detectives.²

The papers of several other Maryland prisoners are held at the National Archives in College Park, in Record Group 59 (General Records of the Department of State). Entry 985 (1 box) contains the papers of Frank Key Howard, the grandson of Francis Scott Key and the editor of the *Baltimore Exchange*. Correspondents in Howard's papers include Judge Richard B. Carmichael, Maryland legislator Severn Teackle Wallis, and future Confederate general Bradley T. Johnson. Howard's papers also include dozens of unpublished letters to the editor as well as a set of resolutions in which members of the Baltimore community pledged their support for southern secession. Among the dozens of signatories on these resolutions are Ross Winans, infamous rowdy George Konig, and state legislator T. Parkin Scott. Topics of Howard's correspondence include the election of 1860, secession, and the First Battle of Bull Run. Entry 986 contains the seized correspondence of the famous Confederate spy Rose O'Neal Greenhow. Entry 987 (2 boxes) contains the papers of Maryland legislator Henry M. Warfield (1853-1861), much of which is business-related. Entries 984 and 988 (three boxes total) contain the letters of Confederate sympathizers that were intercepted by federal officials during the war (most of which are not from Maryland).

Entry 963 in RG 59 contains 13 boxes of materials related to prisoners of war and civilians who were arrested by the military. Many of the records in this series were published in the volume of the *Official Records* dealing with military arrests; however, a large number of the papers have never been published.³ The correspondence in Entry 963 includes letters received by the Department of State concerning citizens suspected of disloyalty, official government correspondence, reports about suspected traitors, newspaper clippings, letters civilians wrote while imprisoned, petitions for release, and private correspondence that was seized from the residences and workplaces of persons who were arrested for disloyalty. Some reports list items that were seized by the military at the times of the arrests. The files in Entry 963 are arranged alphabetically by surname of the suspect or detainee. Suspects and de-

tainees include Mayor Brown, members of the Maryland legislature, Ross Winans, George P. Kane, the Baltimore police commissioners, several newspaper editors, Baltimore businessmen (such as dry goods merchants Woodward, Baldwin & Co.), and other ordinary civilians. Many of the individual files contain correspondence that was seized at the time of an arrest. Box 13 also contains several sets of captured papers, many of which are from Maryland. Some of the letters have to do with the formation of a conspiratorial secret society called "The Society of Vigilance." Box 13 also includes the personal papers of T. Parkin Scott as well as the papers of the editor of *The South*, which include several handwritten poems, one of which is entitled "Maryland is in Chains."

Other records at the National Archives paint a broad portrait of Maryland civilians' daily interactions with the federal military. The Records of the Adjutant General's Office in Record Group 94 contain records, orders, and correspondence related to the Union armies and the militia. The adjutant general's department was responsible for communicating the secretary of war's orders, instructions, and regulations to the troops, as well as other administrative duties. The letters received by the adjutant general are organized chronologically by year and thereunder by the first letter of the author's surname. Some correspondence was gathered into "consolidated files" that pertain to a particular subject or place.

One consolidated file, under General Robert Patterson's name, contains significant information about the Department of Pennsylvania from May through July 1861. The Department of Pennsylvania included the northern and western portions of Maryland. As a consequence, the correspondence in this file discusses the military occupation of Maryland, the arrest and detention of Maryland civilians, the political sentiments of Marylanders, and the destruction and repairing of the Northern Central Railway Company's bridges following the Baltimore Riot of April 19, 1861. Frequent correspondents include Maryland governor Thomas H. Hicks, and Union generals Fitz-John Porter, Robert Patterson, and George Cadwalader. This collection is included on National Archives microfilm M619 (Letters Received by the Office of the Adjutant General, Main Series, 1861-1870), reel 48, frames 434-785.

Two other consolidated files on Reel 280 of microfilm M619 will also be of interest to researchers in Maryland history. Frames 417-445 contain correspondence related to the military supervision of the state during the constitutional referendum of October 1864. Some of the letters describe the military arrest of civilians during the election. Frames 743-821 contain papers related to the mistreatment of African Americans following the ratification of the Maryland Constitution of 1864. These letters describe the attempts of slaveowners to hold former slaves in bondage, violence against former slaves, disloyal citizens voting, and complaints about organized bands of ruffians threatening to whip and shoot freed blacks. The letters, from across the state, plead for protection for the newly freed people.

The records of the Office of the Judge Advocate General of the Army in RG 153

contain courts-martial case files and trial transcripts of military tribunals. These records, which are held at the National Archives in Washington, D.C., are an incredible boon to historians of the Civil War. Within these files are complete trial records of soldiers and civilians who were brought before military courts and contain verbatim transcriptions of the testimony, allowing researchers to hear voices that are usually lost in the historical record—most notably those of women, free blacks, African American soldiers, and slaves. These records also often contain supplementary documentation, such as seized correspondence, letters from politicians, approvals and disapprovals by army commanders, notations by Presidents Abraham Lincoln and Andrew Johnson, and evidence against the accused.

Hundreds of Maryland soldiers and civilians were tried before military courts during the war. The National Archives has compiled two indexes to the case files in RG 153, both of which are available in the Finding Aids Room on the ground floor of NARA's main facility in Washington, D.C. The first index lists each defendant alphabetically by surname; the other is organized by state and thereunder by regiment. Civilian defendants are listed by state in the second index.⁴

Researchers will find a treasure trove of material in the federal legal materials from the state. Record Group 60 (General Records of the Department of Justice) contains the incoming and outgoing correspondence of the attorney general during the Civil War. The incoming correspondence, which dates from 1809 to 1870, is organized by state and thereunder by type of sender, with separate files for letters received from the president, federal judges, U.S. marshals, U.S. attorneys, other federal officials, state officials, and private citizens. Many of these letters deal with cases and lawsuits, the enforcement of federal laws, persons charged with treason, runaway slaves, federal appointments and resignations, difficult legal questions, the workload of the federal courts, and other topics. Researchers in these files will get a unique picture of the legal system in Maryland during the war. The original records are available in RG 60, Entry 9, at the National Archives in College Park. They are also available in a microfilm series produced by LexisNexis entitled *Letters Received by the Attorney General, 1809–1870: Northern Law and Order*, reel 6. LexisNexis has produced a helpful finding aid.⁵ The attorney general's outgoing correspondence is available on National Archives microfilm M699 (Letters Sent by the Department of Justice: General and Miscellaneous, 1818–1904).

The appointment records in Record Group 60, Entry 350 (Records Relating to the Appointment of Federal Judges, Marshals, and Attorneys, 1853–1901), also provide many insights into the political and social history of Maryland during the war. Persons nominated or appointed include William Meade Addison, William Price, Hugh L. Bond, Henry Stockbridge, Andrew S. Ridgely, and others. Letters in support or opposition to the various candidates came from Henry May, Severn Teackle Wallis, Andrew S. Ridgely, Richard T. Merrick, Frank Key Howard, George W. Dobbin, John Thomson Mason, Roger B. Taney, Anthony Kennedy, John P. Kennedy, Montgomery

Blair, Henry Winter Davis, Archibald Stirling Jr., Worthington G. Snethen, Thomas Swann, Augustus W. Bradford, Hiram Barney, Reverdy Johnson, Brice Goldsborough, members of Congress and the state legislature, and others.

During the Civil War, two federal courts operated in Maryland. From 1789 to 1911, U.S. district courts and U.S. circuit courts were both trial courts, or courts of original jurisdiction. In some instances circuit courts exercised appellate jurisdiction over the decisions of district courts, but they were primarily trial courts. Sessions of a district court were presided over by a U.S. district judge. Prior to 1869, sessions of a circuit court were usually presided over by a district judge and a justice of the Supreme Court of the United States, sitting as a circuit justice. During the Civil War, Judge William Fell Giles presided over the U.S. District Court for the District of Maryland; the U.S. Circuit Court for the District of Maryland was presided over by Judge Giles and Roger B. Taney, who also served as Chief Justice of the United States until his death in October 1864.

The records of the U.S. district and circuit courts in Baltimore are held by the National Archives at Philadelphia. These records provide an uncommon glimpse into Maryland society, as researchers can examine criminal cases, lawsuits between citizens, naturalization records, bankruptcy records, fugitive slave cases, admiralty and prize cases, confiscation cases, and habeas corpus proceedings.⁶ Researchers interested in a more thorough description of federal court records should consult *Guide to Research in Federal Judicial History* (Washington, D.C.: Federal Judicial Center, 2010), which can be downloaded as a PDF file at <http://www.fjc.gov/>.

Researchers visiting the National Archives in Washington, D.C., or College Park, Maryland, do not need to make an appointment prior to their visit. Researchers planning to visit the National Archives at Philadelphia, however, should schedule an appointment by calling 215-606-0100 or by e-mailing philadelphia.archives@nara.gov. Researchers can also find additional information about the various regional branches of the National Archives by visiting <http://www.archives.gov/locations/>.

NOTES

1. Mark E. Neely Jr., *The Fate of Liberty: Abraham Lincoln and Civil Liberties* (New York: Oxford University Press, 1991), 26, 75–77. Neely points out that one-third of the military arrests of civilians in 1861 took place in Maryland; by 1863–1864, Maryland's share had dropped to just under 14 percent.

2. Other entries in RG 393 will also be of interest to researchers in Maryland history. For example, Entry 2343 (Middle Department, General Records, Correspondence, Letters Received, 1863–1866) contains correspondence pertaining to a whole host of issues, including the activities and arrest of disloyal citizens, slavery and the enlistment of black soldiers, elections, the beating and arrest of Judge Richard B. Carmichael, oaths of allegiance, conscription, the use and destruction of civilian property by Union soldiers, the treatment and mistreatment of African Americans, Confederate prisoners of war, and commerce in Baltimore.

3. *War of the Rebellion: A Compilation of the Official Records of the Union and Confederate Armies*, 128 vols. (Washington, D.C.: Government Printing Office, 1880–1901), ser. 2, vol. 2.
4. Researchers do not need an entry number to access these records. Each case file has its own alpha-numeric case number that researchers can use to request the records. Case numbers are available in the indexes at the National Archives. For a longer description of these records, see Thomas P. Lowry, “Research Note: New Access to a Civil War Resource,” *Civil War History*, 49 (2003): 52–63. For brief accounts of several Maryland civilians who were tried before military courts, see Lowry, *Confederate Heroines: 120 Southern Women Convicted by Union Military Justice* (Baton Rouge: Louisiana State University Press, 2006), 37–75; White, *Abraham Lincoln and Treason in the Civil War*, ch. 4.
5. Kristen M. Taynor, comp., *Letters Received by the Attorney General, 1809–1870: Northern Law and Order* (Bethesda, Md.: LexisNexis, 2003).
6. For an example of some of the court records held in RG 21, see Jonathan W. White, ed., “Forty-Seven Eyewitness Accounts of the Pratt Street Riot and Its Aftermath,” *Maryland Historical Magazine*, 106 (2011), 70–93.

Book Reviews

Every Home a Distillery: Alcohol, Gender, and Technology in the Colonial Chesapeake. By Sarah Hand Meacham. (Baltimore: The Johns Hopkins University Press, 2009. 196 pages. Recipes, notes, source essay, index. Cloth, \$48.00.)

Sarah Meacham's *Every Home a Distillery* explores the history of alcohol production in the Chesapeake from the late seventeenth to the late eighteenth century. Meacham argues that the Chesapeake was unique in its alcoholic production. Unlike New England and Europe, alcohol production and tavern keeping was, up until the mid-eighteenth century, almost exclusively gendered female. Women produced the fruit alcohols such as cider and ran local taverns; men were not active participants in alcohol's production or sale. By the mid-eighteenth century, that pattern had changed. Through the exchange of ideas, technological advances, and law, alcohol production and sale became re-gendered. Meacham attributes the shift largely to the American Revolution and the laws that controlled the supply of liquor to the Continental Army. When the quartermaster banned women from selling alcohol to the army in 1781 the shift was made official. Women supported the change, and henceforth alcohol was a male profession.

Every Home a Distillery begins by showing that the Chesapeake, defined primarily as Virginia and Maryland, was awash in alcohol. Colonists regularly consumed alcoholic drinks, primarily produced from indigenous fruits, because there really was no other substitute beverage. Consumption was born out of necessity. Cookbooks were filled with recipes and drinks were part of almost every function of life. Men drank in court, planters supplied slaves with drink, and made cider as a regular household chore. The Chesapeake was unlike the other English colonies and even the Atlantic World; alcohol production in Maryland and Virginia "increasingly resembled that of rural England in the sixteenth century" (25). The rural nature of the Chesapeake and the lack of New England-style marketplaces kept alcohol at home and on the plantation, and in the hands of women. Small households often ran out and had to turn to larger planters for ciders and distilled fruit drinks. Large plantations served as an informal market for alcohol up to the mid-eighteenth century and also sold surplus foods and raw materials.

Moreover, unlike New England and the great Atlantic world, the Chesapeake lagged in the matter of technological advances. Cider presses and large storage cellars were found only on the largest plantations, and the variety of drink was also not as great. Chesapeake taverns also functioned differently in that women of the middling and upper classes ran them, rather than shop-keeping men. Meacham notes that "tavern licenses were assigned to men, but magistrates and license applicants knew that the tavern would be run by the petitioner's wife or daughter" (64).

Tavern-keeping was the domain of women and not particularly prestigious, but it did provide women with the means to earn a small livelihood.

By the middle of the eighteenth century, and particularly by the American Revolution, alcohol production and sale had been transformed. After 1760 marketplaces flourished, and colonists could now purchase drinks from markets, Scottish factor stores, and other shops. New methods of production and new drinks appeared until by 1770 "the Chesapeake was drenched in alcohol" (87). English scientific methods trickled down to the Chesapeake, and science transformed the mysteries behind the nature of alcoholic production. Greater numbers of men read books on making alcohol, the recipes began to disappear from cookbooks, and by the latter half of the eighteenth century production firmly fell into the hands of the men. The Revolution aided this process. The law prohibiting women from selling drinks to the army—aimed at reducing the number of camp followers—resulted in men producing and selling alcohol and formally completed the re-gendering. In her final chapter, Meacham notes that consumption became problematic in the Chesapeake. As tea and coffee appeared on the market, the need to constantly drink alcohol declined, but people continued to drink, and public drunkenness and mass consumption became a new danger.

Every Home a Distillery provides a new look at the acquisition of alcohol in the Chesapeake. It leaves the reader with more questions about the function of the pre-revolutionary market in the Chesapeake and how colonists understood that market, but overall this is a careful and well-articulated work.

KIMBERLY NATH
University of Delaware

Children Bound to Labor: The Pauper Apprenticeship System in Early America. Edited by Ruth Wallis Herndon and John E. Murray. (Ithaca: Cornell University Press, 2009. 264 pages. Illustrations, bibliography, notes, index. Paper, \$25.00.)

Originally derived from conference papers concerning pauper apprenticeship in early America ten years ago, this concise volume covers a vast geography of child labor. In twelve essays the authors show that "poor people" did not have a legitimate public presence" (25). Specifically, this work covers pauper apprentices, who were not "slaves, indentured servants, or craft apprentices" (37). The system was ubiquitous in early North America, whether in Dutch, English, or French territory, and men at the top controlled all aspects of it. Holly Brewer shows that Virginia courts bound pauper children into a contract because society benefited when children avoided "sloth and idelnesse" (188–89). Society's needs trumped parental preference in molding a young member of society.

Most important for Maryland readers are T. Stephen Whitman's treatment of "Orphans in City and Countryside in Nineteenth-Century Maryland" and Jean B.

Russo and J. Elliot Russo's "Responsive Justices: Court Treatment of Orphans and Illegitimate Children in Colonial Maryland." The Russos cover Talbot and Somerset Counties on Maryland's Eastern Shore from 1660 to 1759. Whitman contrasted slaveholding as an institution to the various levels of apprenticeship in Maryland. Of the Baltimore apprentice system, Seth Rockman's recent work, *Scraping By: Wage Labor, Slavery, and Survival in Early Baltimore*, serves the researcher in richer detail.

In general, girls were not put under pauper apprenticeship so often as boys, although a higher value was initially placed on girls in areas where textile production was common. Pauper apprenticeship subsequently declined with the rise in textile mills all along the coast. Vice clauses in the documents were possible leftovers from the religious zeal of early colonists in the north, and it was uplifting to read that children with mental or physical disabilities would probably have been cared for within communities during the child's time in the pauper apprenticeship system.

Remnants of European society and culture from the Middle Ages shaped North American pauper apprentice systems. The pauper apprentice system was firmly entrenched due to the prohibition of adoption. Current historical theory holds that the English Catholic Church wanted to acquire more land by rules of inheritance, and the Protestant Reformation did not change that policy. If a child was adopted, the church, either the English Catholic Church or the Protestant Church of England, could not inherit the potential vast estates in the event said child died without family heirs. Massachusetts was the first state to create an adoption policy in 1851.

Secondly, despite a similar system of poor relief in England, North American literacy clauses were more common in American contracts. If there was one surviving parent, English parents more often fought against putting their children into a pauper apprentice position. In North America, not many parents balked, thinking it was more than acceptable to bind a child under a pauper apprenticeship. Skill and literacy training were more common in contracts binding American pauper children. In England, they were rare. Comparison of North America and British practice also reveals that pauper apprentice contracts were partially constructed on race and color. In England, the Irish and gypsies were given less advantageous contracts; in America, Africans and Indians might be left out altogether from the social support system.

Shockingly, Thomas Jefferson appears in this work as the greatest friend to illegitimate pauper apprentices in Virginia. Under his governorship in 1779, an expanded pension policy for soldiers and their families permitted widows of Continental Army soldiers to claim financial aid to care for their offspring. More important than monetary policy was a social and legal change of thought that now posited women were *not* more likely to kill their illegitimate children. Under his watch, mothers of bastard children began to regain the natural strength of the parental bond. Before 1769, a child was removed from such an unacceptable situation, placed in a bonded household, and mothers were whipped or fined. Afterward, mothers could keep

their illegitimate children and possibly receive monetary support from the alleged father to aid in the upbringing of a child. In 1785, Jefferson also authored two bills supporting republican government: one abolished entail, and the other ensured equal inheritance between children.

A major tension in the text runs between local institutions (be they local magistrates or local labor practices) and the similarities the authors found running through all apprenticeship experiences. The unfortunate dearth of primary sources available to these authors results in a lack of individual human stories, making the book quite a dry read. One exception: Holly Brewer's treatment of the shift from patriarchal to republican policies of social welfare is an excellent stand-alone article, showing the shift in American ideology after the American Revolution, one that can be used with undergraduate classes.

MICHELLE M. MORMUL
University of Delaware

This Violent Empire: The Birth of an American National Identity. By Carroll Smith-Rosenberg. (Chapel Hill: Published by the Omohundro Institute of Early American History and Culture, Williamsburg, Virginia, by the University of North Carolina Press, 2010. 512 pages. Notes, index. Cloth, \$45.00.)

Carroll Smith-Rosenberg reveals in this work the historical origins in the United States of "the need to violently exclude Others seen as dangerous or polluting." This impulse, she argues, can be traced "to the founding moments of the new nation and the debates over the ratification of the Constitution, "The roots of American paranoia, racism, and violence lie in the instability of Americans' national sense of self" (x). As the Revolution ended and Americans tried to form a viable government, the lack of national cohesion or heritage—indeed, the existence of profound political, class, religious, regional, and racial divisions—exacerbated the tendency that exists in all nations to "exclusion, violence, xenophobia, and paranoia" (21). In the eight chapters following the introduction, Smith-Rosenberg examines how print culture in the early republic, especially through the 1790s, was used to construct often competing definitions of American identity defined against specifically targeted gender, racial, and class-based Others.

American political magazines are, according to Smith-Rosenberg, key "sites of productive performativity" that helped construct notions of national identity (31). She offers extensive and nuanced readings of these sources, which reveal an idealized new American as was imagined in the mostly northern cities (Philadelphia, New York, Boston) in which such political magazines were created and consumed by literate bourgeois readers. Since these writers were themselves diverse, lacking a unified voice, "this new American was a man of multiple, often inharmonious parts" who acquired "the appearance of inner cohesion only when the political magazines

contrasted him to those they held up as his opposing—or constituting—Others” (38). These Others were themselves diverse, including, at various times “effeminate” Shaysites, foppish aristocrats, women, wage laborers, Native Americans, and enslaved African Americans. Smith-Rosenberg offers careful readings of the “incongruities” in the formulation of national identity, the disharmonies that precluded the articulation of a cohesive American self, focusing on complex moments where groups could be simultaneously constructed as Others and yet, in other discursive contexts, desired or embraced. Further destabilizing American identity was the existence of other bourgeois writers—particularly novelists such as Charles Brockden Brown, Hannah Foster, Susanna Rowson, and Leonora Sansay—who embraced, complicated, and attempted to work through the various contradictions of the American self in this period. Smith-Rosenberg successfully reads a number of both canonical and less-well-known novels of the early republic against political periodicals to elucidate the discordant tensions between the new American man and his Others.

The book is divided into three interrelated sections that focus on the gender, race, and class-based dimensions of American national identity respectively. In section 1, Smith-Rosenberg locates the origins of fractured and fragmented American identities in competing post-revolutionary political ideologies. While most embraced discourses of classical republicanism, it was necessary to alter and fit this philosophy to the American economic situation—where commerce rather than land was the source of wealth—resulting in ideological confusion that also saw commercial republicanism and liberalism endorsed by political writers who were also anxious about the debilitating and corrupting effects of luxury and economic self-interest. At the same time, an extreme gap existed between America’s propounded egalitarian ideals and exclusionary policies based on race, gender, and property. When farmers in western Massachusetts took up arms against the government in the late summer of 1786, claiming the same republican principles endorsed by urban political writers, they were attacked as an unmanly, sybaritic, and foppish mob in the press. This, Smith-Rosenberg argues, helped displace anxieties about the American identity articulated in the bourgeois press: unlike the Regulators of Shays’ Rebellion, the republican subject was manly, virtuous, and deserved the rights of self-representation in the new republic. Women were similarly constructed as Others in the press, although, in a suggestive analysis of Foster’s *Coquette* (1797), Smith-Rosenberg shows how certain writers challenged such characterizations. Ultimately, she interprets this novel’s seduction plot as Foster’s transgressive critique of women’s social dependence and exclusion from the republican body politic.

Intersecting with the work of Philip Deloria, especially his *Playing Indian* (Yale University Press, 1998), section 2 explores the construction of the European American subject through ambivalent and gendered representation of the Indian Others in the press, captivity narratives, and novels of Brown and Rawson. Frontier dispossession and extermination embraced the depiction of the savage Indian; such figures,

however, were deeply contradictory, and Smith-Rosenberg contends that Native American Others were simultaneously appropriated by European Americans. While Tammany Society members might costume themselves as Indians to claim a unique and indigenous American (rather than British or European) identity, other political writers endorsed the native warrior's noble courage and similar "masculine traits [that] would help urban and would-be urbane European Americans recuperate their claims to many civic virtue" (201). In her final section, Smith-Rosenberg explores the rhetorical creation of the commercial "republican gentleman" (361), whose manly civic virtue and whiteness were defined in opposition to both the overly refined American woman and the dependent African American slave.

This Violent Empire will be required reading for anyone interested in the history of American national identity, nation building, the press, or ideas about gender and race in the early republic. Smith-Rosenberg successfully considers the discursive exclusion of opposing Others in post-revolutionary print culture and explores the multifaceted articulations of the American self at its most unstable. Such a wide-ranging cultural history inevitably raises many questions. For example, certain magazine items, such as the 1787 "History of Kitty Wells" in the *Columbian Magazine*, were reprints of stories published in British periodicals. Appearing as it did in a magazine that also criticized Shays's Rebellion, Smith-Rosenberg analyzes this fictional portrayal of the fallen independent women rescued by the male philanthropist as reinforcing class and gender morality that "suggest[ed] a deferential role the magazines wished Massachusetts's hill farmers had adopted" (159). Comparatively considering such a text within a cross-cultural framework—examining the differences in contextual meaning between the circulation of the story in Britain and the United States—could enable a more complex interpretation. If Americans were trying to differentiate themselves from Britons, why recycle British magazine items? How was the story of Kitty Wells used for different (or similar) political purposes in Britain? Relatedly, the comparison to Britain introduces a larger question about American identity in this period. Scholars of late-eighteenth-century Britain, notably Dror Wahrman, *The Making of the Modern Self* (2004), argue that the American Revolution actually engendered anxiety not just about British national identity but about larger notions of selfhood, resulting in a new emphasis on interiority and more rigidly defined identity categories. How might the understandings of American racial and gender categories examined in this book similarly have changed across the Revolution in ways that made the very imagining of a stable and fixed modern American identity possible? Despite such questions, Smith-Rosenberg provides a groundbreaking roadmap to debates about American self-identity in the print culture of the early republic.

STEPHANIE E. KOSCAK
Indiana University

A Town In-Between: Carlisle, Pennsylvania, and the Early Mid-Atlantic Interior. By Judith Ridner. (Philadelphia: University of Pennsylvania Press, 2010. 320 pages. Illustrations, maps, notes, index. Cloth, \$49.95.)

Judith Ridner offers an insightful micro-history and community study of "one of the most significant interior towns of the eighteenth century" (2). From its inception in the mind of proprietor Thomas Penn in 1751 to its ascendancy as an industrial and urban center linking the American republic to the western interior at the turn of the nineteenth century, Ridner suggests that Carlisle constituted "a key urban place in the mid-Atlantic interior [that] has been either obscured by modern developments or forgotten" (1-2). Yet of immensely more importance than simply reconstructing the founding and development of a colonial town is Ridner's contextualization of Carlisle and the North American colonial frontier as a place and region "in-between, rather than at the edge" of the Atlantic world (203). By demonstrating Carlisle as a valuable commercial waypoint within the British Atlantic empire; a community home to a multiplicity of ethnicities and religions; a military staging base and supply depot for English and later Continental armies; a diplomatic crossroads between colonists and Native Americans that ultimately devolved into violence; and a marketplace of culture and identity, Ridner illustrates "how towns [i.e. Carlisle] acted as forces of change and continuity in the eighteenth-century mid-Atlantic interior," American republic, and wider Atlantic world (10).

Intended by Thomas Penn as an "indispensable tool of British colonization" to expand the political and commercial hegemony of England into the American interior, the mid-eighteenth-century establishment of Carlisle instead conflicted with the town's predominately Scots-Irish populace who envisioned a community of abundant economic opportunity devoid of proprietary or English governance (13). Ridner recreates the physical and economic landscape of Carlisle with particular attention to provincial architecture, material culture, the proliferation of taverns as public spaces, and crucial roadways that linked Carlisle to the resources (furs, skins) of the American interior and commercial markets of the eastern seaboard, and reveals a town "shaped by broader forces of economic growth affecting the colony, mid-Atlantic, and British Atlantic world at mid-century" (64). But with the onset of the Seven Years' War, Carlisle and its populace experienced momentous changes. The British army militarized the town as a "center of interior defense" that escalated provincial tensions not only with British authority, but also among townspeople, who themselves held competing economic interests, political allegiances, religious affiliations, and ethnic antagonisms. Additionally, the war provoked Indian violence along the colonial frontier that generated a proto-racial hatred for Native Americans (in the vein of Peter Silver's scholarship), temporarily boosted the local economy and commercial traffic that unknowingly undermined the expansion of the fur

and skin trades after the war, and contributed to Carlisle's demographic growth as a convergence point for refugees, all of which evoke a town engaging in "imperial politics, trade, and cultural relations stretching from Europe, across Pennsylvania, and into America's westward and southern interiors" (110).

Ridner argues that contrary to the town's divisiveness during the Seven Years' War, the American Revolution witnessed an "unprecedented collective spirit of unity" in Carlisle that earned a "reputation as the state's strongest pro-American, anti-British region" (112, 116). During the conflict the town once again mobilized militarily, primarily as a manufacturing center for war materials that Ridner asserts "embodied in microcosm some of the key economic shifts taking place as America struggled to move away from a colonial to a national economy that could supply more of its own needs" (130). Yet in the war's aftermath and creation of the American republic, Ridner sees Carlisle as a "ground zero for the expression of tensions" over the egalitarian promises of the Revolution and reactionary conservatism of the Constitution (encapsulated in the "Carlisle Riot" of 1787), rapid industrialization that exacerbated economic inequality, and cultural contestation over a national identity between metropolitan replications of English gentility or a distinctly American persona divorced from its British heritage, all of which Ridner evinces as indicative of Carlisle's "founding identity as an interior town situated between regions and peoples in the mid-Atlantic" and Atlantic worlds (152, 204-5).

Ridner's sources comprise her greatest asset and weakness in her reconstruction of Carlisle, its populace, and history. With a wealth of primary documents that range from tax records, land deeds, wills, inventories, and business applications, to colonial newspapers, censuses, personal correspondence, and proceedings of proprietary, congressional, and federal governments, Ridner produces a micro-history of a mid-Atlantic interior town integrated into the larger narrative of colonial, revolutionary, and early American republic histories, avoiding the mistakes of past historians who isolated their community studies from the larger events unfolding in North America and the Atlantic world. However, Ridner's same engagement with these sources (particularly her reliance on tax records) inhibits historical analysis of gender and race relations that were no doubt manifest in Carlisle and the mid-Atlantic interior, relegating the town's women and African slaves and/or servants to a periphery existence. Yet despite this depreciation of gender and race, Ridner presents a vital reappraisal of the mid-Atlantic interior and its importance to historians' understandings of the political, economic, cultural, and religious interconnectedness between the eighteenth-century North American frontier, the British colonies and later American states of the eastern seaboard, and broader Atlantic world during the eighteenth century.

BRYAN RINDFLEISCH
University of Oklahoma

The House on Diamond Hill: A Cherokee Plantation Story. By Tiya Miles. (Chapel Hill: University of North Carolina Press, 2010. 336 pages. Illustrations, maps, bibliography, notes, appendix, index. Cloth, \$32.50.)

In northern Georgia, Murray County is home to one of many antebellum plantation homes that spot the southeast. It has all of the typical accoutrements tourists expect to find. There is a grandiose plantation house with white pillars looking out over fields that once were filled with crops, and as of 2008 an exhibit specifically dedicated to the slaves that worked those fields under a dehumanizing coercive labor system. However, the plantation, known as Diamond Hill, was originally built within Cherokee country developed at the turn of the nineteenth century by James Vann, a mixed-blood Cherokee Indian. The physical structures of the plantation and the written documentation left from Moravian missionaries have provided Tiya Miles a rare opportunity to assess intersecting currents in antebellum America, Southern, and Native American history.

Miles focuses on Diamond Hill's initial construction, up to when the 1830 Indian Removal Act forced the Vann family to give up their land and home to encroaching Americans. She also begins and ends the work with a contemporary assessment of where the Vann House, the main plantation house built by James Vann's son Joseph Vann, sits within historical tourism today. Miles argues that the plantation, then and now, offers a representation of often unseen elements of Cherokee resistance to American colonialism, sheds light on the experience of Cherokee women of the slaveholding class, and reveals the lives of slaves, all of which helped to shape the South in the early nineteenth century.

At the center of much of this story is James Vann, a man of Cherokee and Scottish ancestry. Building upon his father John's economic prosperity as a frontier merchant, James Vann and eventually his son Joseph saw "remarkable economic success" that potentially positioned James and Joseph as two of the wealthiest men in the southeast regardless of race (49). The Diamond Hill Plantation estate, frequently referred to as Vannsville, eventually encompassed a main house, several slave cabins, a storehouse, a blacksmith shop, a gristmill, a store, two river ferries, a tavern, and fields cultivating numerous crops for consumption and sale. The Vanns employed white overseers and acquired more than one hundred African slaves to operate the complex.

Primarily through the diaries of the Moravian Springplace missionaries who established a school on the Vann estate, Miles reconstructs an intimate portrayal of Joseph Vann, the relationship with one of his wives, Peggy Scott, and the activities of a few slaves at Diamond Hill. From the beginning, Miles makes it very clear that Euro-American cultural norms dominated the relationship between Joseph and his wife, who was also of similarly mixed ancestry. Counter to Cherokee cultural practices, upon marriage Peggy moved into Vann's plantation house and took on a role in many ways typical of an elite white plantation mistress. Through most of

their marriage Peggy was also the victim of repeated physical and emotional spousal abuse that Miles argues resulted partly from James being a slaveholder and partly from Euro-American colonial pressures. Although Vann's plantation may not have been as socially stratified as others—the missionaries commented on Joseph drinking alcohol with his slaves—he did adopt a view of African slaves as chattel property and frequently bought and sold them, putting profit at the forefront.

Perhaps because this work is constructed as a micro-history, focusing on a single plantation over the course of about thirty years, Miles relies heavily on established historical frameworks. *The House on Diamond Hill* reinforces arguments made by historians such as Theda Perdue in relation to Cherokee women's declining power in gender relations and Cherokee implementation of African chattel slavery as normalized from Euro-American influences. However, the short period examined in this work does not fully address these two major issues of Cherokee cultural adaptation that occurred over multiple generations.

Among others, Miles utilizes Stephanie Camp's 2003 work *Closer to Freedom* to assess the slaves of Diamond Hill. Although these slaves were owned by a Cherokee Indian within Cherokee country, Miles describes a slave community and culture typical of many large plantations across the slaveholding states. The slaves maintained African cultural practices in forms of language, spiritual worship, and ceremonies. They resisted the inhumanity of slavery through defiance, work slowdowns, and running away with the expectation of corporal punishment and sale. One difference when compared to white-owned plantations is the freedom of movement initially experienced by Diamond Hill slaves. During the early nineteenth century, within Cherokee country no pass system or slave patrols hindered the movement of enslaved blacks when not under the watchful eye of an overseer or owner.

The book's most substantial contribution is perhaps the author's ability to address major intersecting issues through a wonderfully written examination of a single plantation. While no part of the book speaks directly to Maryland history, it does elucidate substantial themes in Southern history. The story of Diamond Hill easily speaks to the relationships of race, class, and gender in antebellum America while insightfully meshing African, Native American, and Euro-American experiences within established historical structures. Perhaps, the only question to ask is why such an extremely atypical plantation within Cherokee country, in prosperity and scale, fits cohesively within previous scholarship of Cherokee society's larger story of cultural adaptation and displacement. Despite this concern, readers will find an intriguing story with interesting historical figures navigating a turbulent time during American history.

F. EVAN NOOE
University of Mississippi

Celebrating the Republic: Presidential Ceremony and Popular Sovereignty, from Washington to Monroe. By Sandra Moats. (DeKalb: Northern Illinois University Press, 2010. 243 pages. Illustrations, bibliography, notes, index. \$36.00.)

The debate regarding Barack Obama's decision to appear on ABC's "The View" demonstrates that many Americans have strong feelings about how the president of the United States should behave in public. Sandra Moats's new book, *Celebrating the Republic*, shows that such arguments are not new and that the earliest presidents struggled to maintain a balance between preserving the dignity of the office and ensuring the popular support of the American people for republican government.

Celebrating the Republic focuses on how the first presidents invented American political culture by "employing the symbols and rituals they believed best illustrated republican principles to an American citizenry who now possessed sovereign authority over this new national government" (3). Through analysis of newspaper sources and private correspondence, Moats argues that the presidential rituals enacted by the earliest holders of the office reflected their interpretation of the Constitution and their perception of the role of popular sovereignty in the governance of the new nation. The first chapter, entitled "Ceremonies, Endless Ceremonies" demonstrates the concern many members of the first Congress had about how the government, particularly the presidency, should be symbolically presented to the nation. The struggle in creating republican rituals lay in demonstrating the power of the presidency while also emphasizing the fact that ultimate sovereignty lay with the people. No one was more attuned to this than George Washington. From his pre-inaugural procession toward New York to his national tour, Washington was painfully conscious of the need to borrow from European monarchical ritual to solidify the legitimacy of the government while establishing a sovereign bond between the nation and its people. In contrast Thomas Jefferson rejected formal presidential ceremony as being inappropriate for a true republican government. Moats shows that Jefferson railed against pomp and ceremony and claimed that those who promoted it secretly yearned for monarchy. The final two chapters of the book examine how James Monroe attempted to symbolically unite the nation and to renew the sovereign bond between the citizens and their government through his national tours. While Monroe failed to permanently eliminate party politics, his tour brought about a "ceremonial renaissance" that ultimately resulted in increased popular participation in presidential elections (175).

Moats's *Celebrating the Republic* is well researched and well written, with a clarity that makes it appealing to both public sphere specialists and general readers. The opening chapters that focus on the establishment of presidential ceremony under George Washington are the strongest part of the book. Moats successfully demonstrates how the celebrations surrounding Washington's inauguration were a blend of classical and monarchical motifs that often sat uncomfortably with the republican

principles they were supposed to represent. In particular the author underscores the difficulty in creating republican symbols by highlighting the debate regarding how the president should be formally addressed. "His Excellency," "His Highness," and "His Elective Highness" were all proposed as suitable titles while some senators rejected "President" as being too undignified given that it was the title used by leaders of fire companies and cricket clubs (30). Moats argues that Washington tried to place "republican ideas at the center of his ceremonial repertoire" by consulting with members of Congress about what protocol a president should adopt (36). Her depiction of Washington painstakingly trying to infuse monarchical rituals with republican idealism in order to activate the government's legitimacy is compelling. The author's juxtaposition of the different ideas of Washington and Jefferson in regard to republican ritual shows just how difficult it was for both men to create presidential ceremony that reflected the sovereignty of the people while preserving their own understanding of how federal government should operate.

Celebrating the Republic is a reasonably short book, and the reader is left with the impression that the story of governmental ritual in the early republic has not been fully told. Moats glosses over the presidencies of John Adams and James Madison in a couple of pages. Madison's presidency in particular appears worthy of further comment, given the fact that he disliked pomp but restored many of the formal presidential ceremonies that Jefferson had abandoned. It is also surprising that Moats does not begin her story with the drafting of the Constitution and has nothing to say about why the Constitution mandated a presidential oath of office or why it specifically forbade excessive titles being bestowed upon the president. Her chapter on Thomas Jefferson, entitled "We Deal in Ink Only" is also problematic. First, it mostly deals with Jefferson's use of print to challenge Federalists in power and has little to do with presidential ceremony. Second, Moats implies that Jefferson consciously undermined formal protocol in order to demonstrate that true republicanism rejected unnecessary ceremony. Yet examples such as Jefferson's rudeness toward the British ambassador seem as much a product of a petty personality as a calculated effort to sever ties between republicanism and ritual. Can Moats claim that Jefferson's actions fostered "a new understanding of republican government" if, as she notes, most of his visitors were confused by his attitude toward decorum (86, 90)? These questions aside, *Celebrating the Republic* is an entertaining book and is required reading for those interested in the political culture of the Early Republic.

KEVIN BARRY

University of Delaware

Flotilla: The Patuxent Naval Campaign in the War of 1812. By Donald G. Shomette. (Baltimore: The Johns Hopkins University Press, 2009. 518 pages. Illustrations, appendices, bibliography, notes, index. Foreword by Fred W. Hopkins Jr. Cloth, \$38.00.)

In May 1814 a group of very small vessels left Baltimore harbor under sail and steered south down Chesapeake Bay. This force was manned by some five hundred men and led by Capt. Joshua Barney of the U.S. Flotilla Service, an adjunct of the U.S. Navy. Its intention—attack the British camp on Tangier Island and later resist British raids in southern Maryland. The improbable, fascinating, yet true story of Barney's fortunes is well told in Donald Shomette's new book.

Since 1812 Britain and the United States had been at war. American efforts to seize British-held Canada had failed. The story was different at sea, where the U.S. Navy won notable victories. Early in 1813 a British naval force entered the Chesapeake to launch destructive raids along the bay's shores and so bring the true meaning of war home to the Americans.

Capabilities for resistance in southern Maryland were minimal. Barney, a successful privateer captain, proposed forming a fleet of small boats, fifty to seventy-five feet long, mounting one or two large cannon, and propelled by sails and/or oars, to sally out and constantly attack and harass the British. By mid-1814 Barney's fleet, now under the U.S. Flotilla Service, was ready.

Armed small craft have been common throughout naval history. While able at times, under favorable conditions, to inflict severe damage, small craft often are outmatched by larger, better-armed ships. That was Barney's fate—the bravery, tenacity, and fighting skills of his men were equaled by the British. But Barney's was a glorious failure. His flotilla was a constant threat impossible for the British to ignore. In August 1814 when the invaders moved to attack Washington, D.C., dealing with Barney's boats was the Royal Navy's initial objective.

Barney's flotillamen showed their capabilities on land as well, serving as the rock of the American army's defense line in the last stages of the Battle of Bladensburg outside Washington, and later in the defense of Baltimore. There some two hundred flotillamen served heavy guns in Fort McHenry's waterside batteries, in other positions supporting the fort, and in gunboats in the harbor.

Donald Shomette is well known to those interested in Maryland's maritime history, having given us fine books on Chesapeake Bay piracy, former once-important coastal port towns, and shipwrecks of the bay and the Delmarva Atlantic coastline. His newest book, *Flotilla*, is a greatly expanded outgrowth of his first work on the subject published in 1981 by the Calvert Marine Museum Press. The new volume is full of new details, well researched, and written in the best scholarly style, utilizing contemporary works and personal papers. For all of this the text reads quite easily. A notable feature is a final chapter on the flotilla's tangled legal aftermath and efforts over the past years to locate, explore, and salvage items from the sunken boats.

Some errors must be noted. In March 1813 the frigate USS *Constellation* lay blockaded in the Elizabeth River (7), not outfitting there. In describing the Battle for Baltimore (338–40) there are regrettable lapses. Brig. Gen. John Stricker's (not Striker) brigade fought the British in the Battle of North Point, was defeated after

stout resistance, and withdrew to the much stronger main American defense line just east of the city. The next day the British advanced to confront this line, eventually decided attacking it was inadvisable, and returned to their ships. For the book to say that the British were defeated at North Point is inaccurate. Lastly, the fate of Barney's vessels (272-74) is described much too briefly, almost casually. It deserved much more detailed treatment.

As we approach the War of 1812's bicentennial this book's appearance is most fitting. In Maryland the Battle of North Point and the defense of Fort McHenry take pride of place in remembrances and commemorations of the war's events, but for a few weeks in June 1814 the conflict in Maryland focused on the Patuxent River and a small band of American sailors and their indomitable leader. Shomette's commendable efforts over the years to research and chronicle Maryland's maritime history fully qualify him to tell the story of Joshua Barney's Chesapeake Flotilla. A library on the War of 1812 that lacks *Flotilla: The Patuxent Naval Campaign in the War of 1812* is incomplete.

JOHN D. BARNARD
Baltimore

Steam Coffin: Captain Moses Rogers and the Steamship Savannah Break the Barrier. By John Laurence Busch. (New Canaan, Conn.: Hodos Historia, 2010. 726 pages. Illustrations, maps, appendices, bibliography, notes, index. Cloth, \$35.00.)

Firsts in history are surprisingly fickle. Frequently contested, occasionally canonized, but mostly forgotten, they capture the attention of contemporaries and historians alike. In June 1819, one of those rare uncontested firsts happened: the *Savannah*, under the command of Moses Rogers, became the first steam-powered vessel to cross the Atlantic Ocean. The significance of the voyage was widely acknowledged by contemporaries. Historians, on the other hand, have positioned the *Savannah* as an innovative but relatively insignificant development. John Laurence Busch, an independent scholar, resurrects the *Savannah* and its captain from the footnotes of history, arguing that an all-important "physiological barrier" to oceanic steam navigation "was broken" by the 1819 voyage (596). With the barrier broken, "the path for oceanic steam travel . . . was unstoppable" because, as Busch concludes, people finally believed it was possible (595).

Steam Coffin begins with Moses Rogers. From humble beginnings, he became one of the most experienced steamboat captains in the world, commanding the first ocean voyage by a steam-powered vessel in 1809 and spending a decade on steamboats before taking the helm of the *Savannah*. Rogers was more than a trailblazing mariner; he also helped design, promote, and finance the construction of the *Savannah*, a "steamship" built to cross the Atlantic and placate a skeptical public (7). Busch meticulously describes the many design choices that faced its builders and

offers a cogent analysis of why the *Savannah* took the shape it did. The vessel was an engineering success. But most people remained wary of what sailors dubbed a "steam coffin"—no one booked passage or shipped freight on the historic voyage from Savannah, Georgia to Liverpool, England (178). The narrative through the voyage consumes less than half of this six-hundred-page book. The rest of the book details the far-flung, if brief, careers of the steamship and Moses Rogers after that first crossing. Busch concludes by suggesting how the *Savannah's* successful voyage underwrote subsequent plans to initiate ocean steam travel in the United States and beyond.

Steam Coffin is an engrossing book written for a general audience. Nautical terms (from "bow" to "stern") are clearly defined in the text. Documentation is rigorous, but citations are done without the use of numerical footnotes. And in this privately printed monograph, narrative is rarely constrained by argument, as Busch pursues tenuous connections to pirates, presidents, emperors, and despots. This is not a criticism. Busch rigorously contextualizes the story of the *Savannah* and Moses Rogers with a method reminiscent of Robert Harms, *The Diligent: A Voyage through the Worlds of the Slave Trade* (New York: Basic Books, 2003). The result is an encompassing snapshot of the early-nineteenth-century Atlantic world even if the argument gets lost in the details. The details, however, are this book's most important contribution, and Busch should be commended for his prodigious archival research and imaginative use of sources.

Busch tells a triumphalist narrative. Rogers succeeds. The *Savannah* crosses. Oceanic steam navigation takes root against the superstitions of sailors and the caution of the traveling public. Yet we learn very little about the crew that manned the steamship. Who were they? Busch notes how family ties induced some to (and not to) sign on, but why did the rest agree to sail on a "steam coffin"? Did they become believers in oceanic steam travel after the voyage ended? Source material might be insufficient to answer these questions, but treating early-nineteenth-century sailors as an undifferentiated mass ignores a generation of scholarship that suggests just how heterogeneous and sophisticated they were. As significant, Busch does not show how beliefs about steam travel changed for anyone besides a small group of steam-travel boosters. The *Savannah's* impact on any broader psychological barrier to oceanic steam travel remains unclear, especially since steamships would not make regular transatlantic voyages for another twenty years. In the end, these are relatively minor criticisms that do not detract from an otherwise impressive book.

John Laurence Busch's *Steam Coffin* is the definitive account of the first transatlantic steamship and the mariner who helped conceive and command it. A sprawling work in the narrative tradition, *Steam Coffin* offers the general reader a captivating sea yarn bookended by panoramic descriptions of life and labor in and around the young republic by the sea. Busch's thesis about the *Savannah* breaking the "psychological barrier" never builds up enough steam, but the rich cast of characters and

their derring-do keeps *Steam Coffin* sailing. It will be up to other scholars to situate the *Savannah* and Moses Rogers in the relevant historiographies of business, technology, and maritime history (among others). But they will have to look no further than *Steam Coffin* to know the ship, its captain, and their story.

JAMIN WELLS

University of Delaware

The Baltimore Bank Riot: Political Upheaval in Antebellum Maryland. By Robert E. Shalhope. (Urbana: University of Illinois Press, 2009. 208 pages. Notes, index. Cloth, \$50.00.)

Robert Shalhope has spent the better part of his career helping to illuminate the contours of liberal democracy in the early American republic. One of the great challenges he and other political historians of the period face is how to connect the political culture of the post-Revolutionary era to that of Jacksonian America. In his latest contribution to this effort, Shalhope believes that he has found, at least for Maryland, the bridge that leads from the earlier era to the latter in the Baltimore bank riot of 1835 and its political aftermath.

Shalhope argues that a primary cause of the riot was Baltimoreans' resentment of bankers—a bitterness that dated back to at least 1819. In that year, officials at the city's branch of the Bank of the United States embezzled more than a million dollars and helped set off a massive financial panic. Although these actions were odious, they were not actually illegal at the time, and so those responsible for the economic meltdown were never brought to justice. Anger at the lack of accountability led to changes in the law, so in the 1830s, when a group of bankers known as "The Club" used a tangle of financial schemes to siphon off deposits from the Bank of Maryland, their actions fell well within the reach of the law. When the economy turned sour and the Club's financial malfeasance led to the bank's failure, the conspirators destroyed documents, planted evidence, and sealed the bank's account books to hide their actions and prevent their own prosecution. These actions, in combination with the loss of depositors' savings, the city's growing economic troubles, and a visceral media campaign against bank corruption, raised the ire of many Baltimoreans to the boiling point. Frustration turned to violence in August 1835, when thousands of people filled the streets to watch rioters destroy property across the city.

The real strength of Shalhope's book then follows. In meticulous detail and with careful attention to nuance, Shalhope traces the rhetorical and political currents in Baltimore's print culture that followed the riot. Rival newspaper editors Samuel Harker and William Gwynn were at the center of an ever-expanding discourse that started when Reverdy Johnson, a member of the Club, initiated legal action against Thomas Ellicott and Evan Poultney, the trustee and the former president of the Bank of Maryland. The "Bank Trial" quickly ranged beyond merely civil matters and be-

came a media-political spectacle that "transformed the controversy surrounding the Bank of Maryland into a highly partisan issue" (102). As the pamphlet and newspaper war revved up, authors addressed the proper role of the legislature, the nature of sovereignty, and the government's constitutional boundaries. This discourse encouraged a debate between Democrats and Whigs over reforming the state constitution, which, in turn, established the most important dividing lines between the parties heading into the 1836 elections. From these political battles, the basic ideological divisions between Maryland's political parties fully emerged: the Democrats' belief in the absolute sovereignty of the people, and the Whigs' belief in the unconditional supremacy of the law.

The book's weakness lies in Shalhope's explanation of the rioters' behavior, which is less convincing than his analysis of partisan ideological development. Shalhope believes that unlike most nineteenth-century riots, the Baltimore riots of 1835 arose from a "heightened sense of the sovereignty of the people" and a tension between traditional communal values and the rapacious forces of market development (13). This is convenient to the book's major line of interpretation, because the rioters' actions and beliefs would then provide, in embryonic form, the sinews of the ideological division that later becomes fully articulated in the city's print culture and party politics. Yet the evidence Shalhope marshals calls out for a different conclusion—the city he portrays is pulsing and seething with class conflict. The mob deliberately searches for signs of wealth to destroy and reacts defiantly to shows of ostentation. The city authorities are shocked by the lack of social deference to their authority, and a gentleman actually seeks retribution against a working man who had the gall to smoke in his presence. Indeed, Shalhope points out that "the manner in which individuals suffered arrest and incarceration clearly revealed the influence of Baltimore's gentry," as hundreds of people were arbitrarily hauled away based on "the word of a gentleman, no matter how vague or inconclusive" (77–78). Class conflicts, from both the bottom-up and the top-down, clearly helped shape the riot. Yet in a single paragraph, Shalhope dismisses the idea that class conflict had any relevance because the rioters spared Evan Poultney's house. This single exception does not make a compelling pattern—after all, the French Revolution was still an effort to tear apart the *ancien regime* despite a priest or an aristocrat having been spared from the guillotine. By the same token, it seems clear that class conflict, and perhaps other ethnic, religious, and racial interests that also go unaddressed, played a role in shaping the riots in 1835 even though Evan Poultney's furnishings remained intact.

The shortcomings in the analysis of the riot do not take anything away from the subsequent analysis of the growing ideological divide. Gwynn, Harker and others used the bank failure and the riot as tropes in their newspaper battles, so the reasons why the mob behaved as it did was, at best, dimly connected to the political reaction that followed. Shalhope does a marvelous job unraveling this political discourse for

the reader, and the book succeeds in providing a greater understanding of antebellum politics in Maryland specifically and the United States indirectly.

RICHARD S. CHEW
Virginia State University

Columbia Rising: Civil Life on the Upper Hudson from the Revolution to the Age of Jackson. By John L. Brooke. (Chapel Hill: University of North Carolina Press, 2010. 648 pages. Illustrations, maps, graphs, tables, appendices, notes, index. Cloth, \$45.00.).

Although the rise of social and cultural history several decades ago brought much needed attention to issues only barely covered by prior historical narratives, it had the consequence of leaving political history on the back burner, some historians dismissing political studies of early America as mere "top down" histories. Recently, however, historians have written what is sometimes called the "new political history," that is, histories that incorporate political events into the larger social and cultural fabric of the nation. In *Columbia Rising*, John L. Brooke identifies this connection and explores the "evolving American revolutionary settlement" that took place in an upstate New York county along the Hudson River, using the story of native son Martin Van Buren to illuminate and explain the intense political and civil strife in Columbia County in the decades following the Revolution and into the Jacksonian era.

Lying at the center of Brooke's methodology is Habermas's famed concept of the public sphere, an arena of informal persuasion delivered through a domain of information, association, and conversation regarding the various issues of the day. According to Brooke, it was in this public sphere that questions of citizenship and governance in post-Revolution America took place, often leading to outcomes not anticipated at the beginning of the period. Of course not all individuals in the public sphere held equal sway. Key persons undoubtedly held disproportional amounts of power. But except for enslaved Americans, who made up six percent of the Columbia County population, those excluded from "formal deliberation" in politics—poor white men, women, and free blacks—still engaged in a "wider compass of implied consent," reinforced through a "cultural persuasion" that articulated itself through the household, tavern, church, lodge, society meetings, and the all-important newspaper (7). At the forefront of the conflict over the revolutionary settlement was an intense struggle over the legacy of the Revolution. For example, who would be included inside the boundaries of political participation, and whether the new nation would go in the direction of Hamiltonian privilege or Jeffersonian equality (9).

One of the major highlights of Brooke's work is his ability to use the story of a future president, Martin Van Buren, to illustrate these tensions and struggles among common folks in upstate New York. Van Buren was the son of a tavern keeper in Columbia County, where his father often hosted Jeffersonian Republican meetings throughout the 1790s. It was in this decade and the ones that followed that New York

saw a surge of popular participation in politics and heated debate over issues that included the issuance of corporate charters and political corruption within the state legislature. Van Buren grew up in this political and social environment, and doing so had a profound impact on his development as an adult. Brooke convincingly portrays Van Buren as the common man that he was, and thus, like many others in his county, exceptionally alert to officials who attempted to use political office to limit the terms of the revolutionary settlement and advance political favors to privileged individuals, i.e., the oft-feared "aristocracy" such as politically privileged landlords, banks, and corporations.

Throughout Brooke's narrative, the reader gets a vivid and arresting sense of life in Columbia County. Brooke's portrayal of the various civil institutions where informal public persuasion took place is illuminative enough to remind historians that virtually all Americans in this period were connected to political issues in some form or another, even those excluded from the formal deliberative. Brooke demonstrates the key importance that women played in the revolutionary settlement, through their participation in voluntary reform societies, increasing literacy, and their authority in the pivotal moral sphere of American life (142–45). Poor white men excluded from the voting booth likewise participated in the informal public sphere, through civil institutions such as the tavern, where they often mixed rough entertainments such as gambling and cockfighting with the reading of newspapers and discussion of political issues (127–29).

The subtitle of the book is a tad misleading—not until the tenth and final chapter does Brooke delve into the Jacksonian period. This may be excused by the fact that the population of Columbia County dwindled in the antebellum era as individuals migrated west. Additionally, this particular reader would have liked to see more on why so many ordinary people in Columbia County supported what Brooke calls "government minimalism," and, moreover, why they placed so much political importance on issues such as the chartering of banks and the purportedly omnipotent "Money Power." A deeper analysis and explanation for these political phenomena may have shed more light onto the political mind of Columbia County. These reservations notwithstanding, *Columbia Rising* is an ambitious and impressive work that will surely have a place in the early American historiography for years to come, and should be of interest to political, social, and cultural historians alike.

JONATHAN BARTH
George Mason University

Border War: Fighting over Slavery before the Civil War. By Stanley Harrold. (Chapel Hill: University of North Carolina Press, 2010. 308 pages. Illustrations, map, bibliography, notes, index. Cloth, \$30.00.)

In a field as well trodden as Civil War studies, it may often seem as though new

scholarly perspectives are in short supply, but Stanley Harrold claims that historians have overlooked a critical element of sectional division and secession: conflict over slavery along the North-South border. "Nowhere were tensions between forces binding the sections together and those pulling them apart stronger," he writes, "than in the North-South borderland" (xi). Seeking to revise our understanding of the seemingly sporadic nature of prewar border conflicts, Harrold suggests that understanding the continuity of borderlands clashes is central to explaining the evolution of sectional tension as well as the Border South's place in the secession crisis.

Harrold divides the border region into the Lower North (New Jersey, Pennsylvania, Ohio, Indiana, Illinois, and Iowa) and the Border South (Delaware, Maryland, Virginia, Kentucky, and Missouri). His definition of "conflict" is broad, including slave escapes and renditions, kidnappings of free blacks, cross-border violence, and interstate political and legal disputes. Fugitive slaves lay at the center of the story because by running away they often fueled interstate quarrels. According to Harrold, initial border conflict occurred mostly in the Lower North and was characterized by slaveholders' mixed success in securing and enforcing the Fugitive Slave Law of 1793. Abolitionist groups such as the Pennsylvania Abolition Society frequently aided escaped slaves by accusing slave catchers of kidnapping and then taking them to court. As a result, concern about abolitionists inciting slaves to flee or rebel increased in the Border South. By the 1830s fears of rebellion may have been more perceived than real (Nat Turner's 1831 uprising notwithstanding), but Harrold points out that abolitionists *did* interfere with slavery by continuing to offer aid to fugitive slaves and circulating abolitionist literature in the Border South. In turn, southern defensiveness—in the form of anti-abolitionist mobs, armed renditions of fugitive slaves, and kidnappings of free blacks—encouraged sympathy for runaways and led white residents of the Lower North to believe *they* were the ones under attack. As tension mounted from the 1820s to the 1840s, several Border South states, led by Maryland, tried various forms of interstate diplomacy to ease the conflict, but these efforts were ineffective at preventing slave escapes and northern assistance.

By the 1840s, Harrold argues, "endemic borderlands violence" made "state-level solutions less likely" (95). Though no major rebellions occurred in the Border South after 1831, reports of conspiracies and attempts at mass escape could appear like open revolt to apprehensive slaveholders. At the same time, escaped slaves and their northern neighbors—white and black—increasingly relied on violent resistance to slave catchers. The notion of slave escape and northern assistance inflamed some Lower South fire-eaters, but Border South slaveholders actually began to modify "their commitment to state rights" (139), believing that only the federal government could protect against slave escapes and northern interference. After passage of the Fugitive Slave Law of 1850, however, tensions only increased. "Bleeding Kansas" as well as "other northern-based initiatives [targeting] the Border South made the region's leaders all the more defensive" (173). But though John Brown's 1859 raid on

Harpers Ferry and Abraham Lincoln's election in 1860 pushed many Lower South leaders to secession, leaders in the Border South rejected disunion on the basis that it would offer fugitive slaves the protection of a *foreign* jurisdiction and might lead to *open* warfare against slavery. As imperfect as federal protection may have been, it at least provided a framework for protecting slave property, but wartime unionism proved not to be the bulwark against abolition that leaders in the Border South had been seeking.

Harrold's analysis issues significant challenges to conventional historiographical wisdom. He questions whether the extension of slavery into western territories was central to defining the political geography of the Civil War. For Harrold, the clash of political and moral economies along the North-South border was more important in revealing the extent of slavery's divisiveness. He raises an intriguing point when he states that losing the Border South was an important concern to Lower South secessionists, but had extension been the sole, or even the primary, basis for secession, this concern could not have been as prevalent. Harrold also challenges, albeit less convincingly, the widely held notion that the border region was marked by political moderation regarding slavery. He bases this argument on contemporary references to the regional distinctiveness of the Lower North and Border South as well as the relative stability of Border South slave populations in absolute terms. But these factors, even combined with failed efforts at interstate diplomacy, do not necessarily point to clear-cut sectionalism. In emphasizing the North-South divide in the region, Harrold skirts the nuances of intrastate (or even intraregional) politics and public opinion regarding slavery and abolition. Part of the problem arises from his overreliance on newspaper sources. He generally does not discuss the political leanings of the papers he uses, which distorts their place in the mainstream of public opinion within their respective states. A broader use of legal and legislative sources and greater attention to the development of slavery and race as political and legal issues in each state would only strengthen his analysis of Border State politics, even if it might complicate his argument about sectionalism in the region.

Border War may not be the last word on sectionalism and secession, but it is a valuable addition to the literature on the antebellum period. Readers interested in slavery, abolitionism, fugitive slaves, and the causes of the Civil War will find this book engaging. It is well crafted, dramatic, and will undoubtedly generate interesting discussions.

THOMAS H. SHEELER
University of Delaware

An Example for All the Land: Emancipation and the Struggle over Equality in Washington, D.C. By Kate Masur. (Chapel Hill: University of North Carolina Press, 2010. 376 pages. Illustrations, maps, bibliography, notes, index. Cloth, \$39.95.)

During the Civil War and into the era of Reconstruction, Kate Masur argues that Washington, D.C., proved itself to be, in Charles Sumner's words, "an example for the all the land." Sumner praised the ways in which the nation's capital had become "a laboratory for experiments with democracy and racial equality" (1). By examining Washington during this period, Masur hopes to capture a portrait of the potential for radical change unleashed by the war. "The cataclysm of the Civil War and the abolition of slavery," she writes, "exploded much of the received wisdom about American public life and provided an opportunity for reconstituting the nation along more egalitarian lines" (6). Masur also explains how in Washington street, local, and federal level politics mingled together to create vibrant debates over how the reconstituted nation would look.

Most significantly, Masur frames her history around a discussion of struggles over equality. She favors exploring the idea of equality rather than freedom because, "the concept of equality had everything do with policy" (4). In Washington, congressional authority did not have to contend with the power of the states, making the District one of the few places in the country where Federal laws had direct bearing on the lives of individual citizens. This congressional oversight caused local concerns to become matters of policy for the federal government. Masur divides the types of equality African Americans sought into three different categories and explains how and why African Americans succeeded in their pursuit of equality in some areas but not in others. Civil equality referred to the absence of legal discrimination against blacks. Most Republicans understood and agreed that African Americans would have this type of equality. Debates over political equality were more problematic; politicians disagreed over whether to enfranchise African Americans and questioned their fitness for office-holding. Even more troublesome was the matter of social equality. Lacking a clear definition, social equality became a grab-bag term that politicians used to tar policies they opposed. To claim that a piece of legislation advocated social equality identified it as an instance where the government sought to interfere in matters outside its proper authority.

Equality in Washington did not come merely from government legislation. Rather, Masur stresses the "upstart claims" made by African American citizens of the District and explains that these "were not claims to existing rights, nor were they supported by existing policies" (7). Masur peppers her book with lively vignettes from Washington's history to examine how African Americans from different walks of life demanded equal access to streetcars and public spaces. She then details how churches served as the locus of African American activity and how they protected fugitive slaves. In subsequent chapters she discusses the impact of the Freedman's Bureau and the role of the women's suffrage movement in sparking divisive debates about enfranchisement. She carefully explains instances where African Americans succeeded in uniting together to push for equality, but also instances where the claims of one group of African Americans did not necessarily represent equality

for all. Masur argues that black elite activists who fought for equal access to public accommodations saw their battle as one of caste. If even elite blacks could be denied access to first-class accommodations in public, then "even if African Americans could escape the drudgery of labor and a hand-to-mouth existence, the racial 'caste' system meant they never could command the same respect as their white counterparts" (231). While fighting for basic rights, black activists also sought to set aside restrictions that would forever keep them a subordinate social class and deny them equality with whites.

Readers further interested in a documentary reader detailing the emancipation of slaves in Washington, D.C. can find it in Robert S. Pohl and John L. Wennersten, *Abraham Lincoln and the End of Slavery in the District of Columbia* (2009). With an introductory essay and extensive documentation about the end of slavery in the District, the book details how the Lincoln administration and Congress enacted emancipation in Washington in April 1862, a full eight months before the enactment of the Emancipation Proclamation.

Ultimately the gains made by black activists in Washington would not last. A backlash against the black vote as well as the massive spending programs of Washington's municipal government led to a movement in the early 1870s to strip the District's citizens of the franchise and hand over local control to presidentially appointed commissioners. Masur has ably outlined the remarkable and brief attempt in Washington, D.C. to construct a biracial democracy in the 1860s and 1870s. *An Example for All the Land's* meticulously researched argument and lively prose stands out as an immensely valuable study for anyone interested either in the history of Washington, D.C., or the history of Reconstruction.

CHRISTOPHER H. BOUTON
University of Delaware

Well-Read Lives: How Reading Inspired a Generation of American Women. By Barbara Sicherman. (Chapel Hill: University of North Carolina Press, 2010. 380 pages. Illustrations, selected bibliography, notes, index. Cloth, \$35.00.)

Well-Read Lives examines reading as a factor in shaping American women's public identities in the Gilded Age and Progressive Era, particularly the ways in which reading "stirred imaginations and fostered female ambition" (1). Sicherman introduces these ideas with a fascinating discussion of *Little Women* and the changes it signaled in nineteenth-century reading culture. Louisa May Alcott's 1868 novel was marketed as a prescriptive text for adolescent females, but it gained unparalleled popularity as "a text that opens up new avenues for readers rather than foreclosing them" (19). Alcott's moral tone was less severe, her characters more individualistic, and her plot more problematic than those of her contemporaries. Women from a variety of backgrounds testified to the influence of Alcott and her characters as

models of respectable female ambition and intellectual creativity, especially for the growing middle class. As the following chapters demonstrate, a new domestic literary culture emerged after the Civil War. Women had increasingly more time, skills, and moral license "to read and write for pleasure as well as for spiritual or intellectual profit" (37). The postwar era saw a redefinition of culture, from a strictly religious endeavor to a broader process of "intellectual, spiritual, and aesthetic development by an individual or group" (43). For middle-class Americans, books symbolized moral superiority—but because they were accessible through many routes other than ownership, "books designated permeable rather than fixed boundaries and sometimes provided the means of crossing them" (47). Reading was associated with the home, so it was seen as "women's province" in some ways. "As an esteemed cultural practice, a wellspring of aspiration, and a gratifying social ritual performed with members of their own sex, reading assumed a central place in young women's lives in ways that were less true for men" (57). Reading and writing alone or with each other could provide "opportunities to enlarge their experience of life, explore the meaning of problematic or conflictual concerns (romance, religion), and try on diverse identities, many of which they could not entertain in real life" (67). Women's literary societies proliferated, with rituals that "promoted personal growth, sociability, and collective identity" (71). These developments combined with new educational and employment opportunities in the late nineteenth century to make many women optimistic about their future roles in American life.

The rest of the book focuses on the experiences of specific readers. Sicherman builds on developments in the field of book history, which have established the importance of interactions between readers and texts as well as the social context of these interactions for determining the meanings of texts. She offers several case studies of "historically situated readers by examining connections between specific reading practices and the long-range meaning of reading in a life" (5). Part Two looks closely at reading in the lives of elite women, specifically Edith and Alice Hamilton, M. Carey Thomas, and Jane Addams. These compelling case studies serve her purpose well, in that they demonstrate both the importance of reading for shaping worldviews and the variety of responses that readers could exhibit. For example, the Hamiltons found inspiration in their reading for self-sacrificing Christian womanhood, in contrast to the "personal display and social success" of other members of their social class (106). But the Hamilton family was almost reclusive in their bookishness, sometimes allowing reading to serve as a substitute for lived experiences. As a young woman, Jane Addams recognized this tendency toward isolation that could result from literary pursuits. Her reading, in the context of her travels, helped her to conceptualize Hull House as a way to integrate cultural studies with community and social action.

Part Three highlights the efforts of less-privileged women to gain full literacy and use it to pursue their own goals. Sicherman creatively uses the records of Hull House

to glimpse lower-class reading habits. For example, the longevity of the Shakespeare class—and the formation of a student-led Shakespeare club after the class ceased to be taught—“suggests that he remained popular with non-elite audiences well into the twentieth century and was by no means the exclusive province of the upper classes” (181). Sicherman also looks at the published autobiographies of several Russian Jewish immigrants, for whom books—accessed through settlement houses and public libraries—could provide a way to assimilate but could also cause alienation from their families. In the final chapter, the life of Ida B. Wells provides a contrast in that she actually shared with many African Americans a faith in literature as a way to improve not only herself but also the perceptions of her race in American culture.

Sicherman's book is a delightful read, as she reconstructs the intellectual lives of these distinctive women and traces their journeys into public life. Her chapter on the Hamiltons may be interesting to readers familiar with their Baltimore connections (after attending Bryn Mawr College Edith Hamilton eventually became headmistress of Bryn Mawr School). The emphasis on different reading experiences and changes in literary culture should be provocative to specialists of this era and helpful to students of book history or cultural history more generally. But her approach is accessible enough that non-specialists should enjoy her discussion of the period and biographical studies as well.

ASHLEY MORESHEAD
University of Delaware

Prescription for Heterosexuality: Sexual Citizenship in the Cold War Era. By Carolyn Herbst Lewis. (Chapel Hill: University of North Carolina Press, 2010. 240 pages. Bibliography, notes, index. Cloth, \$34.95.)

The history of heterosexuality in the United States has been emerging as a subfield of the history of sexuality over the past fifteen years. Foundational works from the mid-to-late-1990s described the “invention” of the idea, and historians have since endeavored to show where, when, and how ideas about heterosexuality have been produced, shared, and transformed. In *Prescription for Heterosexuality*, Carolyn Herbst Lewis contributes to this growing literature by examining how American physicians “gave sexual citizenship a biological and medical foundation” (6). Lewis insists that physicians not only “root[ed] gender identity in concepts of physical, psychological, and emotional health” but also, in the process of defining heterosexual norms, reinforced emergent sexual norms that, in turn, underpinned federal policies that excluded homosexuals from full citizenship rights. *Prescription for Heterosexuality* relies on a thorough survey of medical journals as well as some citations from popular magazines and a few other collections to demonstrate how physicians articulated their concerns about heterosexuality in their professional journals, the popular press, and in books. Although Lewis's larger claims about Cold War citizenship remain largely

unproved, her book succeeds in showing how physicians interpreted issues such as female frigidity, male impotence, the premarital pelvic exam, and artificial insemination as indicative of social and cultural crises in American heterosexuality—and how they argued that their treatments for these conditions could, in turn, shore up heterosexual marriage and thus benefit the nation.

The book's strongest chapter describes the importance physicians attributed to the premarital pelvic examination during the 1950s and 1960s. (A version of this chapter appeared previously in the *Journal of Women's History*.) New laws in nearly three-quarters of the states mandated premarital physical exams as part of lawmakers' efforts to eradicate venereal diseases, but physicians interpreted the examinations—particularly pelvic examinations of prospective brides—as opportunities to prepare young women for what physicians presumed would be the women's first experiences of sexual intercourse, on their wedding nights. Lewis shows not only how physicians described these exams to one another in their medical journals, but also how they asserted their authority over the woman's sexual selfhood in articles in popular women's magazines. Lewis argues throughout the chapter that “the healthy female orgasm was believed to be the key to marital harmony and community security” (97). (Elsewhere she explains that physicians believed that the “vaginal orgasm” was the “epicenter of healthy heterosexuality” [98].) Lewis ably demonstrates the extent to which the physicians who most enthusiastically endorsed these exams harbored outdated preconceptions about women's sexuality: that mature women experienced a “vaginal” orgasm, that most middle-class white women were virgins on their wedding nights, and that a woman's discomfort during a pelvic examination was proof of her ignorance and anxiety about sexual intercourse. Indeed, physicians who described the pelvic exam in medical journals portrayed their role, Lewis argues, as “introducing young women to penetration” so that married women would develop a “compliant vagina” for intercourse and thus, these physicians adduced, achieve a happy marriage (104–5). This reader shares the author's wish that archival evidence of how patients experienced these exams might become available. (I did wonder, though, whether Lewis might have mined published or unpublished case narratives, data from research studies, or other admittedly problematic sources for some tracings of how patients responded to physicians' practices during the premarital pelvic exam.)

This chapter, like much of the book, is weakest when it tries to extend these valuable insights to assert, with scanty archival evidence, that “physicians sought to alleviate Cold War anxieties regarding the nation's sexual health” (103). Lewis asserts that “In the ideological battle against Communism, the premarital pelvic exam afforded the ideal opportunity for [physicians] to practice a unique form of preventive medicine,” but the chapter does not include quotations from any physicians expressing fears about Communism or pride in American freedoms, let alone the associations between the pelvic exam and Cold War battles that Lewis insists they shared (111). Similarly, in her insightful final chapter about artificial insemination,

Lewis marshals ample evidence that "discussions of artificial insemination with donor semen . . . revealed an abiding concern for proper heterosexual gender identification and rule fulfillment," a worthy contribution to our understanding of the postwar "crisis" in masculinity (116). She is on shakier evidentiary ground when she claims that artificial insemination undermined "the moral security of the broader national community," as none of her quoted sources expressed such concerns (115).

It is unfortunate that Lewis felt compelled to stretch her thesis beyond the limits of her evidence, because she has made numerous original and important discoveries about how the medical profession interpreted and produced heterosexual gender norms during the 1950s and 1960s. Those issues aside, this book will be of interest to historians of marriage and sexuality and to historians of medicine. Its accessible writing style, clear organization, and relative brevity would make it a fine choice for assignment in undergraduate courses.

REBECCA L. DAVIS
University of Delaware

The New Economy and the Modern South. By Michael Dennis. (Gainesville: University Press of Florida, 2009. 384 pages. Bibliography, notes, index. Cloth, \$75.00.)

In the 1970s, the New Economy promised to transform the South by bringing high-tech industry and high paying jobs to an area below the national averages despite the post-World War II surge in prosperity and the Sunbelt/Gunbelt decades. By around 1991 the deal was done, the South undone. This is the story of what the New Economy and free-market conservative Republicanism did in only twenty years to the latest "New South."

Southerners enjoyed a sense of community, of civic participation, and government-guided prosperity for the two decades after World War I. Underpinning the prosperity were the New Deal, then the Gunbelt, but progress fell victim to the siren song of the New Economy during the final decades of the twentieth century. The South endured a second Gilded Age and became yet another competitor in the race to the bottom. In today's South the Republican party sings a mythical southern laissez-faire tradition and bites the federal hand that feeds the military industrial state. The New Economy, New South-style, is the old economy of the old New South, and the winners are anything but southern.

Apologists rationalize the New Economy as an unavoidable consequence of free market globalism, but Dennis argues persuasively that nothing in global capitalism requires an economy to respond the way that of the United States did. The decision to center the marketplace and neglect all other aspects of society was a conscious choice, and tying unfettered capitalism's consequences to globalization is merely pushing blame off on something else.

Dennis documents the similarities of New Economy state governments to those

of the old New South. Now as then, they give businesses anything and everything that they might want in a desperate effort to bring sorely needed jobs, even jobs that pay poorly and never recoup the incentives government gave at the expense of roads, education, and other needs of the general social welfare.

Dennis shows how weak unions became weaker, how job quality declined as productivity increases translated into work speed-ups and corporate profits. Annual incomes stagnated or declined over thirty years as the New Economy induced a shift to consumerism from citizenship.

Then the companies reneged on their end of the bargain. They came south to exploit low wages and anti-union workers with the solid to stolid southern work ethic (and for those lucrative incentives), and moved on in a heartbeat to exploit still lower wages and more pliable workers in Asia and Latin America.

Economic development is regional, even within a state, and parts of Virginia lost ground while the fortunate few enjoyed new jobs in non-union, highly automated automobile factories or in the federal government (albeit as no-benefit contractors with no job security.) The New Economy's temporary stay in the South raised few boats except a fortunate few. The majority remainder leaked and nearly foundered.

The larger part of this book describes how the New Economy derailed the South. The late chapters discuss the revival of progressivism in Virginia in the aftermath of the 1990-91 recession and again after the dot-com bust of 2000. Dennis writes of Virginians opposing the World Trade Organization in Seattle, of new immigrants questioning the economic insecurity of the New Economy South. He creates a momentary optimism about how the people might regain their government from those who choose to play New Economy games and call it inevitable in the face of globalism. He takes a strong position that economic decisions are political choices made by political elites, not something forced on governments by an overwhelming global capitalism.

The book's most striking, although somewhat undeveloped, argument is that the South, though a leader in the ongoing undoing of the American civic community and the progressive social responsibility society, is not working alone. The Southernization of America is happening so readily because southern conservatism, although it dates to the antebellum era, is not dissimilar to that of the West and Midwest. Conservatives in those regions might have to deal with feminists and organized labor that southerners don't, but otherwise they share the blind spots that allow them to be exploited as readily as southerners. The plight of Virginia is the ultimate example of southern problems, but it also reflects the national condition.

The author is clearly enamored of the good old New Deal political/social structure. He believes and argues that government at all levels has obligations to the citizens that go beyond providing cheap consumer goods and low-paying, long-hours-and-no-benefits jobs that can be removed in a heartbeat. He shows what happened in Virginia when government abandoned its role as protector of the citizenry and

became enamored of New Economy capitalism in an unrequited love affair like that of a moth with a flame. New Economy advocates had an easy time stripping away the already substandard safeguards, remnants of the New Deal era, and the relative economic prosperity of the two decades between 1947 and 1967.

The argument is interesting, the perspective not at all subtle, and the documentation more than sufficient. The work might address Virginia specifically but it has value as a tale shared by the rest of the South and, soon enough, the rest of the country. After all, Virginia was the strongest of the southern states. If Virginia falters, can Maryland be far behind?

JOHN H. BARNHILL
Houston, Texas

Baltimore '68: Riots and Rebirth in an American City. Edited by Jessica I. Elfenbein, Thomas L. Hollowak, and Elizabeth M. Nix. (Philadelphia: Temple University Press, 2011. 288 pages. Illustrations, map. Paper, \$29.95.)

The assassination of Martin Luther King Jr. on April 4, 1968, was a watershed moment in the history of the United States. Not only did the civil rights movement lose the preeminent figure of the era, but King's death also ushered in a week-long period of domestic disorder at a level unseen since the Civil War. Nearly two hundred cities experienced rioting in the wake of the assassination, with Baltimore being one of the hardest hit. Governor Spiro Agnew sent in the Maryland National Guard and eventually federal troops to quell the unrest. By the end, over ten thousand troops had been called in, more than 5,500 people had been arrested, six people were dead, and property damage was more than \$12 million.

Baltimore '68: Riots and Rebirth in an American City, is a collection of essays and oral histories examining the riots from multiple perspectives. The book seeks to dispel a popular perception of the riots as a turning point in the history of Baltimore, in which prior to the riots, Baltimore was a prosperous city where "the population was stable, race relations were better than in most cities, crime was low and commercial life was thriving" (180). Then the riots erupted, ushering in a period of urban blight, decay, crime, and white flight that have remained defining characteristics of the city ever since. The authors of *Baltimore '68* present a counter-narrative: that much of the city's ills were firmly entrenched long before the events of April 1968. They convincingly argue that while the riots deeply affected the city's commercial, racial, and cultural landscape, the disorder merely "punctuated trends well under way" (xix).

To illustrate this, the authors concentrate on specific neighborhoods hit by the riots. For example, Pennsylvania Avenue, which was the center of a thriving African American cultural and commercial district since the early 1920s, was by the 1960s being defined more by its abandoned stores and homes and increasing crime rate

than its retail markets and nightspots. A confluence of factors was at work. The easing of racial restrictions over the previous decades opened up new consumer and employment opportunities outside the neighborhood. In addition, new shopping centers and malls were emerging to challenge the old neighborhood marketplaces. Other negative causes contributing to the decline were the increased unemployment to the decline of the industrial base, and the displacement of residents owing to urban renewal. By the time the riots hit, Pennsylvania Avenue was already a shell of what it once had been.

The book places particular emphasis on the negative effects of urban renewal as a cause of, rather than a cure for, urban blight. For instance, the Lombard Street commercial district saw its position as the center of an historic Jewish and Italian marketplace wane, partly as the result of being isolated after the construction of a new highway that cut off the area from downtown long before the events of April 1968. The riots and another road project eight years later were merely the culmination of a decade's long decline. Even just the specter of a proposed urban renewal project on a community had dire consequences. The West Baltimore neighborhood of Rosemont was in the mid-1960s a thriving, predominantly African American middle-class enclave. After city planners designated the neighborhood as the future site of a new expressway in 1961, Rosemont rapidly deteriorated. The city was remiss in not providing services to residents slated to be relocated; trash was not picked up, police were lax to respond to calls, and condemned buildings were ignored. A concomitant decrease in property values, increase in crime, and middle-class flight had by the mid-1970s turned the once-flourishing neighborhood into a "blighted scar" (64).

Although much of the book is essentially the story of a city's decline, there are moments of optimism interspersed throughout. Several of the essays document community groups devoted to understanding and working toward solutions to many of the city's social ills that contributed to the riots. The Greater Homewood Community Corporation (GHHC) for example, was established in 1967 to address the racial and social inequalities in the areas surrounding Johns Hopkins University's Homewood campus. The group, working under the principle of "interracial cooperation," remains in existence forty years later (210). In addition, projects to reverse some of Baltimore's blight are under way; the "rebirth" in the book's title refers to contemporary efforts to revitalize stricken areas such as Pennsylvania Avenue and Lombard Street.

One essay addresses Governor Spiro Agnew's role during the riots. In what might be surprising to some, given his reputation as a vocal opponent of both the anti-war and civil rights movements, the book establishes that prior to the riots, Agnew was seen as being somewhat progressive on the issue of civil rights. He won the majority of the urban African American vote in the 1966 gubernatorial election, and as governor he had the support of various African American religious and civic groups. After Agnew's hard-line response to the riots, as well as an infamous meeting with a

group of moderate African American leaders in which he partially blamed them for failing to stop the unrest, his standing as a civil rights moderate was over. Agnew's stance during the riots was one reason Richard Nixon selected him as his running mate in the 1968 presidential election.

Among the many highlights of the book is the inclusion of four oral histories along with the essays, taken from eyewitnesses who experienced the riots in very different ways. While the scholarly essays place the riots in historical context, the oral histories provide powerful personal accounts of the violence and its impact on the city's residents. An interview with Jewel Chambers, an African American civil rights veteran and reporter at the time for the Baltimore *Afro-American* newspaper, touches on her role reporting on the riots, her encounters with National Guardsmen, and the long-term impact of the riots on Baltimore. Her interview reflects a certain distance and objectivity; though she was profoundly affected by the events, she also saw the riots through the lens of a professional reporter. A more personal and raw account emerges from an interview with the Pats, a Jewish family who had owned a pharmacy on West North Avenue since 1950. By 1968 they were one of the few white families remaining but were forced out when their store was targeted by looters and burned to the ground. The feelings of anger, resentment, sadness, and ultimately, loss are still tangible forty years later.

The book is one segment of a larger project, "Baltimore '68: Riots and Rebirth," which began with a conference in April 2008 designed to foster a community dialogue about the riots and their impact on the city. Participants included scholars, artists, religious and civic leaders, students, and community members. A companion website, <http://archives.ubalt.edu/bsr/index.html>, was also created to supplement and expand upon the essays and oral histories in the book. In addition to more than sixty oral histories with average citizens, national guardsmen, and government officials, including Thomas D'Alesandro III and William Donald Schaeffer, mayor and city councilman respectively at the time of the riots, the website also has a collection of photographs and an audio walking tour of significant sites that were damaged during the riots.

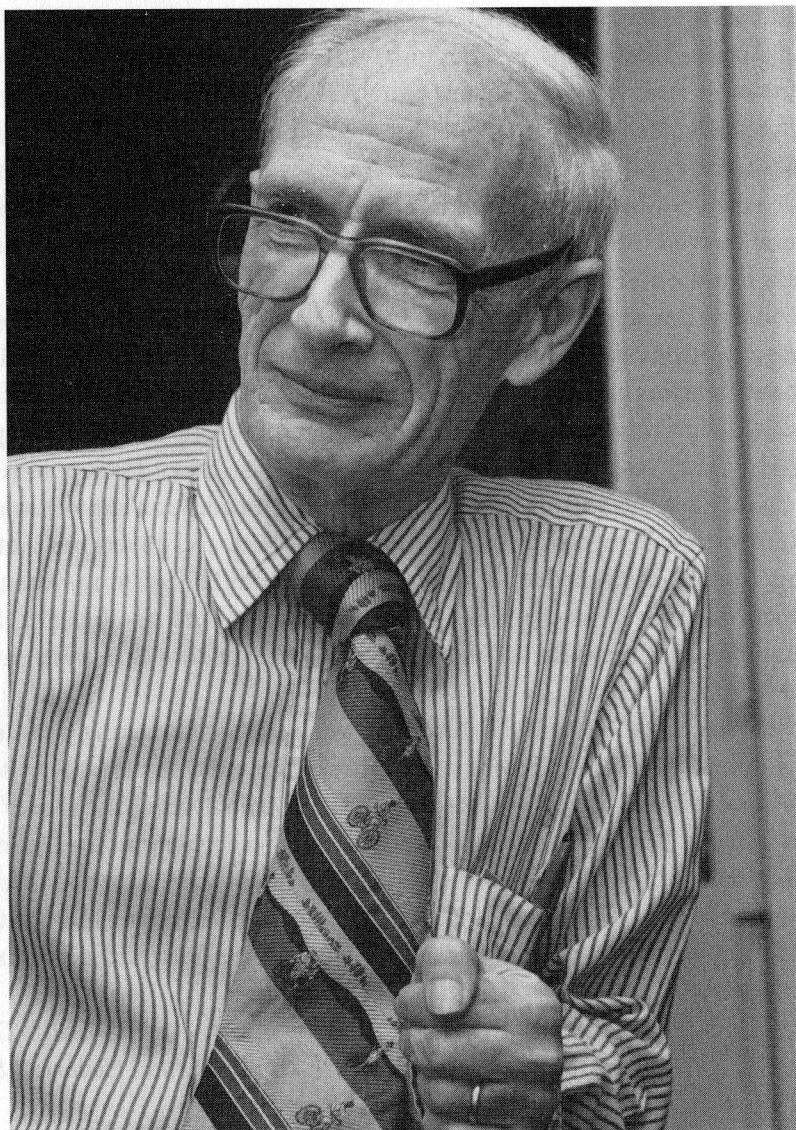
The "Baltimore '68: Riots and Rebirth" project is a groundbreaking work, casting light on an event that has not received proper scrutiny, scholarly or otherwise. One would be hard pressed to find a more comprehensive analysis of the role of urban riots on a U.S. city. Perhaps just as significantly, the project represents the best of what a combination of academic and public history can be. By extending the discussion of the riots beyond the academic and into the public sphere, a far more extensive and wide-ranging history was produced than might have been had it been strictly a scholarly work.

DAMON TALBOT
Maryland Historical Society

IN MEMORIAM

JAMES H. BREADY, 1919–2011

Newspaperman, editor, chronicler of Baltimore baseball and connoisseur of fine rye whiskey, devoted husband and father, stout friend to local authors, and longtime friend of the Press at the Maryland Historical Society.



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